

# Arizona Criminal Justice Commission

## Statistical Analysis Center Publication

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## Identity Theft Arrest and Case Processing Data:

***An Analysis of the Information in Arizona's  
Computerized Criminal History Record System***

March

# 2013

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# **Identity Theft Arrest and Case Processing Data:**

## ***An Analysis of the Information in Arizona's Computerized Criminal History Record System***

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## Executive Summary

Over the years, the criminal justice system in Arizona has come to rely upon the information that the criminal history record repository, specifically the Arizona Computerized Criminal History (ACCH) record system, contains for criminal background checks, for employment qualifications, and for firearms purchases. The ACCH records, housed at the Arizona Department of Public Safety (AZDPS), provide arrest and subsequent case disposition information (i.e., charges filed, convictions, sentences, etc.) for all felony, sexual, driving under the influence, and domestic violence-related offenses that take place throughout Arizona.

Criminal history records are also a valuable resource for research within the criminal justice system. Researchers at the Arizona Statistical Analysis Center (SAC) of the Arizona Criminal Justice Commission used a repository extract provided by AZDPS to assess the identity theft-related (i.e., identity theft, aggravated identity theft, and identity trafficking) offenses present in the ACCH repository.

The following report presents the findings of the identity theft research carried out by SAC researchers. Data is also provided regarding the completeness of records within the repository, specifically the percentage of arrest charges with subsequent case disposition information present in the repository by January 2011. The following are some of the key findings within the report:

- ❖ All three identity theft-related offenses- identity theft, aggravated identity theft, and identity trafficking- increased substantially in the total number of arrests and arrest charges over the reporting period. Identity theft arrest charges increased by 455.6 percent from FY 2001 to FY 2010. Since both offenses did not debut in the Arizona Revised Statutes until FY 2006, aggravated identity theft and identity trafficking arrest charges increased by 113.8 and 45.0 percent, respectively, from FY 2006 to FY 2010.
- ❖ From FY 2001 to FY 2010, 37.2 percent of identity theft-related arrest charges in the ACCH were missing case disposition information. With the exception of complex cases, FY 2010 arrest charges had the maximum 180 days for disposition processing in the AZDPS data extract, as outlined by Arizona Supreme Court Rule 8.2.a.(2).
- ❖ Over the ten-year period, the percentage of identity theft-related arrest charges leading to an identity theft-related conviction ranged between 11.8 and 20.6 percent.
- ❖ More probation sentences were assigned to identity theft convictions than any other sentence type. For aggravated identity theft and identity trafficking, convictions were given prison sentences more than any other sentence. Identity trafficking convictions led to a prison or jail sentence 80 percent of the time or greater, followed by aggravated identity theft at greater than 75 percent, and identity theft at more than 50 percent from FY 2001 to FY 2010.
- ❖ Offenders arrested for or convicted of identity theft-related charges were likely to be white males between the ages of 25 and 34.

## **Introduction**

The primary purpose of criminal history record systems is to maintain a record of individuals arrested and processed through a state's criminal justice system. Although the information entered into criminal history record systems may vary from state to state, a core set of information is included in every state's criminal history record system including, the offense(s) for which an alleged offender was arrested and related criminal justice system activity.

The information contained in criminal history records systems is used for a variety of justice system purposes. Law enforcement agencies use the information to make arrest and custody decisions, prosecutors and judges make charging and sentencing decisions, in part based upon criminal history record information, and probation and correction agencies use criminal history information as part of risk assessments for individuals under their supervision. Additionally, public and private sector organizations routinely use criminal history record information as part of background checks that are conditions of employment.

Although researchers routinely use criminal history record information to assess recidivism rates of convicted offenders, criminal history record information can be used for other research purposes. For example, in Arizona, criminal history record information is used to assess the reporting and subsequent criminal justice system processing of sexual assault arrests in Arizona (e.g., Bileski and Stevenson, 2011; Bileski and Stevenson, 2010). Other uses of Arizona's criminal history record information include an assessment of a state grant program's ability to reduce case processing times (Bileski and Stevenson, 2012), an analysis of felony case processing in Arizona (Bileski, 2010), and an assessment of the timeliness and completeness of criminal history record information (Bileski, 2011). This report continues to take advantage of the research utility of criminal history record information by using this information to better understand the reporting of identity theft arrests in Arizona and subsequent criminal justice system activity.

A ten-year extract from the Arizona Computerized Criminal History (ACCH) record system was provided to the SAC by the AZDPS. This extract includes all arrests that occurred and were submitted to ACCH from January 1, 2000 to December 31, 2010. For this project, all criminal history record information included in the extract that is connected to identity theft arrests that occurred from July 1, 2000 to June 30, 2010 is used to better understand the nature and extent of identity theft arrests and subsequent criminal justice system activity as they appear in Arizona's criminal history record system (i.e., ACCH). <sup>1</sup> In addition to better understanding the reporting and processing of identity theft in Arizona, this project also investigates the quality (i.e., timeliness and completeness) of identity theft criminal history record information.

## **State Criminal History Record Repositories**

States across the country have established central state repositories of criminal history information that provide a wealth of benefits to both criminal justice agencies and non-criminal justice entities alike. Each central state repository stores historical information from all facets of

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<sup>1</sup> June 30, 2010 is used as the end date, rather than December 31, 2010, for the analysis of identity theft arrest information to allow up to 180 days for subsequent case processing. According to Arizona Rules of Criminal Procedure established by the Arizona Supreme Court, courts are expected to fully process most felony cases within 180 days of arraignment.

the criminal justice system including, but not limited to, arrest event information, disposition information (e.g., prosecution and court case decisions), and sentencing results. Data from the repositories are supplied to the Federal Bureau of Investigation's Interstate Identification Index (FBI III) as well as the National Instant Criminal Background Check System (NICS). Despite the unified effort among states to collect criminal history record information, states have institutionalized unique infrastructures for maintaining the records and have employed varying processes for the collection of data.

### *Criminal History Record Repository in Arizona*

In compliance with Arizona Revised Statute (A.R.S.) §41-1750, criminal justice agencies across the state of Arizona are required to submit arrest and associated case disposition information to the state criminal history record repository, known as the Arizona Computerized Criminal History (ACCH) system. Arizona statute mandates that all felony offenses, sexual offenses, driving under the influence (DUI) offenses, and offenses involving domestic violence be submitted to the ACCH repository. In Arizona, the AZDPS is responsible for the collection and maintenance of the information submitted to the ACCH by all agencies across the state. The information housed within the ACCH assists law enforcement agencies in identifying an offender and the offender's criminal history, and the ACCH repository strengthens the decision-making of court and correctional agencies regarding the risk assessment of an offender. Also, public and private institutions utilize the ACCH records to run background checks for employment purposes and for regulating firearms purchases.

### *Collection of Criminal History Records in Arizona*

All criminal history records within the ACCH are fingerprint-based, which are collected at the time of arrest booking. Once the alleged offender is fingerprinted electronically or through manual ink and roll, the arresting agency is required to send the fingerprint card along with relevant arrest information (i.e. personally-identifiable offender data, offense code data, arrest date, etc.) to the AZDPS within 10 days of the arrest booking date.<sup>2</sup> Each record within the ACCH consists of a single arrest charge and follows the unique arrest count through the entire case disposition process.

After an alleged offender is arrested, a disposition report is created with each arrest count listed separately on the form. This form follows the entire case from law enforcement to the prosecutor and the court (if applicable). Upon reaching a final case disposition including any applicable sentencing decisions, the form must be forwarded to the AZDPS within 40 days of the date of disposition completion.<sup>3</sup>

In order for subsequent case disposition information to be attached to its associated arrest count record(s) in the ACCH, the arrest count record must be present in the ACCH prior to the submission of the disposition form. All charges on the disposition form with arrest charges present in the ACCH are linked to the associated record and entered into the ACCH. However, any disposition charges with missing arrest charge records are not processed and the disposition form is returned to the originating agency for correction and resubmission.

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<sup>2</sup> A.R.S. §41-1750.U.3

<sup>3</sup> A.R.S. §41-1750.U.7 and A.R.S. §41-1750.U.8

### *Completeness of Data from the Arizona Computerized Criminal History*

The completeness of arrest and subsequent case disposition data in the ACCH continues to be a concern among criminal justice stakeholders in Arizona. According to the data in the latest ACCH extract received by the Arizona Statistical Analysis Center (SAC) from AZDPS, 65.7 percent of arrest counts resulting from arrests made in calendar year 2009 had associated case disposition data attached to the record by the end of calendar year 2010 (Bileski, 2011). The percentage of 2003 arrest counts (entered in the ACCH by the end of 2004) with associated case disposition information in the ACCH by the end of 2004 was 59.4 percent. Despite an increase over the seven-year period, there is still a large percentage of arrest counts entered each year that have not completed the case disposition process within the 180-day timeframe as outlined by the Arizona Supreme Court.<sup>4</sup>

One of the identified challenges to a complete, accurate, and timely criminal history record system is Arizona's "cite and release" arrest process. Many Arizona law enforcement agencies are faced with the task of patrolling a vast rural landscape within each of Arizona's 15 counties. As a result, many agencies are citing and releasing the arrestee in lieu of transporting the arrestee to a booking location. When a law enforcement officer issues an arrest citation and releases the arrestee, the arrestee is not fingerprinted, and the creation of a record of the arrest in the ACCH is delayed. Upon arrival in the court, the judge is required to confirm that the arrestee has been fingerprinted. If the arrestee was cited for an offense that, by statute, requires fingerprinting of the alleged offender and has not yet been fingerprinted, the judge requires the cited defendant to get fingerprinted. The cite and release process eliminates the time-intensive formal booking process at the time of arrest, thus maintaining officers' presence on the streets and in Arizona's communities.

To better understand the impact of the cite and release process on the quality of criminal history record information, research was conducted on a sample of five arresting agencies in Arizona, and it was discovered that only 40 percent of citation and long-form complaint arrest counts for DUI, sexual offenses, and aggravated domestic violence offenses matched to arrest counts in the ACCH repository (Bileski, 2007).

In an effort to increase the percentage of citation arrest counts present in the ACCH, new legislation was enacted on January 1, 2010 which requires law enforcement officials to provide a mandatory fingerprint form to arrestees for all felony, DUI, sexual, and domestic violence cite and release offenses. The fingerprint form directs the individual to a booking station where fingerprints will be taken prior to the individual's first court appearance. Failure to complete the form indicates to the judge that the defendant has not been booked for the citation offense(s).

### **Identity Theft Statutes in Arizona**

In light of the complications with defining the parameters of identity theft, laws and statutes are continuously evolving to adequately represent the issue of crimes related to identity theft. The following state statutes currently, or have in the past, identify and define identity theft as a crime within the state of Arizona. The following statutes are available in their entirety in the Appendix Section, with the exception of repealed A.R.S. §13-2708.

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<sup>4</sup> Arizona Supreme Court Rule 8.2.a.(2)



### *Arizona Revised Statute §13-2708 (Repealed on July 18, 2000)*

Arizona Revised Statute (A.R.S.) §13-2708, titled *Taking Identity of Another Person*, was enacted into law on July 20, 1996. The statute was the first to specifically address identity theft as a crime, and the statute simply identified “name, birth date or social security number” as the qualifying agents for identity theft. The statute defined identity theft as the taking of the previously stated information without the individual’s consent, with the intention to commit illegal acts using the information, and/or to create a financial burden on the individual. The described action was a class five felony according to the statute.

### *Arizona Revised Statute §13-2008*

Effective on July 18, 2000, A.R.S. §13-2708 was renumbered to A.R.S. §13-2008, currently titled *Taking Identity of another Person or Entity*. As a result of the transition and subsequent amendments to the statute, the legislation was changed to include “personal identifying information,” and subsections were added that detail the following: accepting and using stolen identity information for the purposes of employing an individual (effective May 1, 2008), requiring peace officers to take a formal report of any complaints linked to an identity theft violation, allowing prosecutors to file multiple charges for identity theft if the additional charges occurred within the same county or the entire state, and excluding the sale or purchase of alcohol to a minor as an identity theft offense. According to a 2008 amendment, identity theft was changed to a class four felony offense.

As of July 18, 2000, A.R.S. §13-2708 ceased to exist as a criminal statute. Despite the fact that the statute remains repealed, it continued to be used leading ACJC researchers to exclude any A.R.S. §13-2708 arrest charges resulting from identity theft offenses that occurred after July 18, 2000. The subsequent disposition data for these charges are also excluded with the exception of the identity theft conviction data in the sentencing section (Table 12), convicted offender demographics section (Table 18), and the convictions linked to other fraud types section (Table 22). A separate section addresses these additional cases as potential identity theft arrest counts.

### *Arizona Revised Statute §13-2009*

A.R.S. §13-2009, known as *Aggravated Taking Identity of another Person or Entity*, was introduced on August 12, 2005. Prior to this date, the statute was designated for admission ticket fraud. Originally written to apply to a person that “knowingly takes, purchases, manufactures, records, possesses or uses” five or more identities or causes \$3,000 or more in damages, A.R.S. §13-2009 was amended in 2007 and applies to incidents involving three or more identities again with \$3,000 or more in monetary damages. In addition, paragraph three of subsection A was added as an aggravated identity theft charge for offenders using another’s personal identifying information with the intent to obtain employment. These latest amendments took effect on September 19, 2007.

Like with A.R.S. §13-2008, offenses involving the sale or purchase of liquor to a minor are not eligible for aggravated identity theft. All aggravated identity theft offenses are class three felony offenses.

Nine arrest counts for A.R.S. §13-2009 have offense dates prior to the August 12, 2005 transition date. This is particularly speculative because admission ticket fraud was renumbered to A.R.S. §13-2011, meaning that any prior admission ticket fraud offense would require an arrest charge of A.R.S. §13-2011. Further investigation uncovered that four of these charges were for A.R.S. §13-2009.A.3, which was a code that did not exist under the original ticket fraud statute. Also, four charges were subsequently disposed in court as A.R.S. §13-2009 charges at a later date, which would be strongly discouraged if the offense were an A.R.S. §13-2011 admission ticket fraud offense. Therefore, A.R.S. §13-2009 arrest charges with an offense date that preceded the introduction of aggravated identity theft to the statutes on August 12, 2005 was included in the analysis as an aggravated identity theft arrest charge.

### *Arizona Revised Statute §13-2010*

Another recent addition to the Arizona statutes is A.R.S. §13-2010, titled *Trafficking in the Identity of another Person or Entity*. Created on August 12, 2005, the statute seeks to penalize an individual who “knowingly sells, transfers, or transmits” the personal information of another person or entity regardless of any actual loss for unlawful action or to acquire employment. The employment piece was an amendment to the original statute language in 2008.

Again, A.R.S. §13-2010 excludes all offenses involving the sale or purchase of liquor to a minor. Identity trafficking is a class two felony offense.

### **Research Related to Identity Theft**

Identity theft is a relative newcomer among the list of Arizona statute offenses, as identified in the previous section. Unlike some more conventional theft categories, identity theft continues to adapt as technology (i.e. computers, bank/credit account access, electronic records, etc.) and personally identifiable information (i.e. social security numbers, passwords, account numbers, etc.) evolve to meet the needs of society. The following addresses current research as it pertains to identity theft and the complications the offense poses for today’s society.

There is little question as to the motivation of an identity theft offender. The latest data from the Bureau of Justice Statistics show that the direct financial loss among households with victims experiencing identity theft in 2010 reached more than \$13.2 billion (Langton, 2011). Besides financial gain, a number of identity thieves use another’s identity to avoid detection by law enforcement, to skirt around criminal justice sanctions (i.e. warrants, child support payments), and to obtain employment (Identity Theft Resource Center, 2003).

Due to the unconventional nature of the offense, identity theft often negates the necessity of the offender to come in direct physical contact with the potential victim. After all, the identity thief is simply using an individual’s personally-identifiable or financially-identifiable information (i.e. social security number, account number, mother’s maiden name, etc.). Although some identity thieves will acquire such information by confronting the victim via robbery or larceny, there are various methods that identity thieves employ to avoid confrontation with the victim altogether. According to the latest National Crime Victimization Survey data, almost 30 percent of victims reporting identity theft identified a “purchase or other transaction” as the point at which their identity was compromised, followed by a stolen or lost wallet (20 percent), compromised office files (14 percent), and unauthorized access by family or friends (8 percent)

(Langton and Planty, 2010). With the exception of stolen wallets, the other methods of obtaining personally and financially-identifiable information establish a heightened level of deception and may also provide the offender with the added security that the victim does not suspect any breach of information at the time the theft occurred.

Identity thieves are also utilizing computers and the internet to virtually obtain personally and financially-identifiable information. According to Chawki and Wahab (2006), case studies show that offenders are hacking into database servers and other internet sources to obtain information. In one case, an individual obtained transaction information for more than 1.4 million purchases made at a common chain shoe store. The authors list "cyber-trespass, phony or sham websites and phishing and pharming, spoofing, spyware, electronic bulletin boards, information brokers, internet public records, and malicious applications" as some of the most prevalent methods for identity thieves to obtain information online. As virtual storage and electronic sharing of personally-identifiable information becomes more inevitable, inadequate security measures combined with lack of oversight will only continue to motivate identity thieves to take full advantage of the virtual targets that exist over the internet.

The ACCH data available to SAC researchers is capable of providing an exploratory view into the possible deterrent effect that law enforcement and criminal justice sanctions have on identity theft offending. The Federal Trade Commission (2006-2011) identified Arizona as a state with one of the highest identity theft complaint rates (per 100,000 residents) over the previous five years, and the number of complaints reached a high of 9,683 in 2008 before falling dramatically to 6,549 by 2010. The following information will show how the Arizona criminal justice system has responded to such an identity theft presence in Arizona.

### **Identity Theft Arrest and Disposition Data in the ACCH Record System**

The following data has been compiled from an ACCH database extract provided to SAC staff by the AZDPS in January 2011. Arrest and subsequent case disposition information is broken down into the three Arizona identity theft-related statute offenses: identity theft, aggravated identity theft, and identity trafficking.

Despite marked improvement in the completeness of our state's criminal history records, the records repository is well short of 100 percent completeness of disposition information per arrest charge. Also important to mention is that the data has not been standardized to account for any missing information across the fiscal years. For instance, arrest charges recorded in FY 2001 had more than nine years for final disposition entry while arrest charges from FY 2010 were given up to one and a half years for subsequent disposition entry. Although each arrest charge has been given at least 180 days for disposition entry to the ACCH, which is the standard for completing a case as established by the Arizona Supreme Court, one must take into consideration that later fiscal year arrest records are given less time for disposition completion.

#### *Identity Theft Arrests and Subsequent Disposition Data*

The data in this section detail the arrests and arrest charges specifically for identity theft (only A.R.S. §13-2708 and A.R.S. §13-2708 offenses). Subsequent disposition findings for the identity theft offenses are also provided, and the disposition tables are separated by the offense charge

at the time of disposition (i.e., identity theft, aggravated identity theft, identity trafficking, or non-identity theft related).

According to the data available in the ACCH, the number of identity theft arrest charges submitted by law enforcement agencies across the state has increased by more than 450 percent from FY 2001 to FY 2010 (Table 1). In FY 2001, a total of 306 arrests involving at least one identity theft arrest charge (includes A.R.S. §13-2008 and some A.R.S. §13-2708 charges) resulted in a total of 342 identity theft arrest charges. These numbers swelled to a ten-year high of 1,607 arrests and 2,289 total identity theft arrest charges in FY 2008. By FY 2010, these totals fell to 1,205 arrests with at least one identity theft arrest charge resulting in 1,900 total identity theft arrest charges.

**Table 1. Identity Theft Arrest and Arrest Charge Data\* in ACCH  
FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Arrests including Identity Theft	306	628	717	820	1,063	1,400	1,541	1,607	1,463	1,205
Identity Theft Arrest Charges	342	829	933	1,176	1,542	2,107	1,959	2,289	2,092	1,900
Identity Theft Arrest Charges With No Final Disposition Data in the ACCH	110	272	336	450	548	773	637	619	786	1,093
Percentage of Identity Theft Arrest Charges With No Final Disposition Data in the ACCH	32.2%	32.8%	36.0%	38.3%	35.5%	36.7%	32.5%	27.0%	37.6%	57.5%

\* As of July 18, 2000, the Arizona Revised Statute §13-2708 was amended and renumbered to the current identity theft statute, §13-2008. A number of §13-2708 arrests and arrest charges are included in Table 1 totals resulting from offenses that occurred prior to the July 18<sup>th</sup> statute change.

Table 1 also shows the total number and percentage of identity theft arrest charges that do not have final disposition data in the ACCH as of January 2011. The percentage of arrest charges missing disposition data fell from 32.2 percent in FY 2001 to 27.0 percent in FY 2008, and then the percentage increased to 57.5 percent by FY 2010. The increases in FY 2009 and FY 2010 are likely a result of the limited number of days to process cases compared to prior fiscal years.

As the total number of identity theft arrest charges has increased over the ten-year period, the same has occurred for the number of identity theft charges that were court dismissed, were not filed or deferred by the prosecution, were not referred by law enforcement, were pled to other charges, and were convicted. Charges dismissed by the courts increased by 278 percent from FY 2001 to FY 2010 and no filings by prosecutors increased 130 percent, however, dismissals fell from 23.4 percent of all identity theft charges in FY 2001 to 15.9 percent in FY 2010 (Table 2a). Charges not filed experienced a similar decrease in the percentage of total identity theft arrest charges. Charges not referred to prosecutors by law enforcement rose in both total and percentage from 1.8 percent of arrest charges in FY 2001 to 9.6 percent of charges in FY 2008 before decreasing dramatically to only seven total charges and 0.4 percent of total arrest charges by FY 2010. Arrest charges leading to pleas to other charges rose in total but remained rather consistent in the percentage of total arrest charges for identity theft. Only a handful of identity theft arrest charges led to acquitted/not guilty findings and cases deferred by the prosecution.

**Table 2a. Identity Theft Arrest Charges Leading to Identity Theft Disposition Charges\* in the ACCH by Disposition Result, FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total Identity Theft Arrest Charges	342	829	933	1,176	1,542	2,107	1,959	2,289	2,092	1,900
Dismissed by the Court										
<i>Total Charges</i>	80	186	207	269	345	518	408	481	435	302
<i>Percentage of Arrest Charges</i>	23.4%	22.4%	22.2%	22.9%	22.4%	24.6%	20.8%	21.0%	20.8%	15.9%
Not Filed for Prosecution										
<i>Total Charges</i>	91	228	225	238	232	308	433	554	455	209
<i>Percentage of Arrest Charges</i>	26.6%	27.5%	24.1%	20.2%	15.0%	14.6%	22.1%	24.2%	21.7%	11.0%
Not Referred to Prosecutors										
<i>Total Charges</i>	6	12	7	14	47	30	73	219	67	7
<i>Percentage of Arrest Charges</i>	1.8%	1.4%	0.8%	1.2%	3.0%	1.4%	3.7%	9.6%	3.2%	0.4%
Acquitted/Found Not Guilty										
<i>Total Charges</i>	0	0	0	0	0	3	1	0	2	0
<i>Percentage of Arrest Charges</i>	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.0%	0.1%	0.0%
Plea to Other Charges										
<i>Total Charges</i>	1	0	0	4	3	3	6	7	7	4
<i>Percentage of Arrest Charges</i>	0.3%	0.0%	0.0%	0.3%	0.2%	0.1%	0.3%	0.3%	0.3%	0.2%
Deferred by the Prosecution										
<i>Total Charges</i>	0	0	0	0	0	2	0	0	1	1
<i>Percentage of Arrest Charges</i>	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.1%
Conviction (includes nolo contendere pleas and charges affirmed in appellate court)										
<i>Total Charges</i>	43	100	122	153	318	380	273	273	219	176
<i>Percentage of Arrest Charges</i>	12.6%	12.1%	13.1%	13.0%	20.6%	18.0%	13.9%	11.9%	10.5%	9.3%

\* A number of identity theft arrest charges led to other disposition charges or were missing disposition information. Thus, the percentages in Table 2a do not make up 100 percent of the total number of identity theft arrest charges.

The total number of identity theft arrest charges that resulted in identity theft convictions increased 309 percent from FY 2001 to FY 2010 despite the steady reduction in the total after FY 2006 (Table 2a). The percentage of arrest charges leading to an identity theft conviction rose to a high of 20.6 percent in FY 2005 before decreasing to 9.3 percent by FY 2010.

**Table 2b. Identity Theft Arrest Charges Leading to Aggravated Identity Theft Disposition Charges\* in the ACCH by Disposition Result, FY 2006-2010**

	2006	2007	2008	2009	2010
Total Identity Theft Arrest Charges	2,107	1,959	2,289	2,092	1,900
Dismissed by the Court					
<i>Total Charges</i>	3	1	0	1	0
<i>Percentage of Arrest Charges</i>	0.1%	0.1%	0.0%	0.0%	0.0%
Conviction (includes nolo contendere pleas and charges affirmed in appellate court)					
<i>Total Charges</i>	7	5	8	1	4
<i>Percentage of Arrest Charges</i>	0.3%	0.3%	0.3%	0.0%	0.2%

\* Only a small number of identity theft arrest charges led to aggravated identity theft disposition charges, which explains why the percentages do not equal 100 percent.

Only 0.3 percent of identity theft arrest charges with finalized disposition information led to a subsequent disposition charge for aggravated identity theft from FY 2001 to FY 2010. Five charges led to a court dismissal for aggravated identity theft; over half of these dismissals originated from arrests made in FY 2006 (Table 2b). The total number of identity theft arrest charges that led to aggravated identity theft convictions fluctuated over the five-year period that aggravated identity theft has been an offense in Arizona's Revised Statutes. The total number of convictions decreased from seven convictions in FY 2006 to four in FY 2010.

Less than 0.1 percent of identity theft arrest charges with available disposition information led to a final disposition charge for identity trafficking. Only one charge led to a court dismissal while five other identity theft arrest charges led to identity trafficking convictions from FY 2006 to FY 2010 (Table 2c). Similar to the aggravated identity theft statute, identity trafficking did not become a statutorily defined offense in Arizona until FY 2006.

<b>Table 2c. Identity Theft Arrest Charges Leading to Identity Trafficking Disposition Charges* in the ACCH by Disposition Result, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Total Identity Theft Arrest Charges	2,107	1,959	2,289	2,092	1,900
Dismissed by the Court					
<i>Total Charges</i>	0	1	0	0	0
<i>Percentage of Arrest Charges</i>	0.0%	0.1%	0.0%	0.0%	0.0%
Conviction ( <i>includes nolo contendere pleas and charges affirmed in appellate court</i> )					
<i>Total Charges</i>	0	2	1	2	0
<i>Percentage of Arrest Charges</i>	0.0%	0.1%	0.0%	0.1%	0.0%

\* Only a small number of identity theft arrest charges led to identity trafficking disposition charges, which explains why the percentages do not equal 100 percent.

Approximately 7.6 percent of identity theft arrest charges with disposition information resulted in non-identity theft disposition charges from FY 2001 to FY 2010. The total number of identity theft arrest charges dismissed in court as non-identity theft disposition charges increased from one in FY 2001 to eight in FY 2005 before dropping back down to one in FY 2010 (Table 2d). Only a handful of identity theft arrest charges were disposed as not filed, pleas to other charges, and deferred non-identity theft charges. The majority of identity theft arrest charges that led to non-identity theft disposition charges resulted in a conviction. The total number of identity theft arrest charges leading to non-identity theft conviction charges increased 920 percent over the ten-year period and the percentage of the total number of identity theft arrest charges increased from 2.9 percent to 5.4 percent over the same period.

**Table 2d. Identity Theft Arrest Charges Leading to Non-Identity Theft Related Disposition Charges\* in the ACCH by Disposition Result, FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total Identity Theft Arrest Charges	342	829	933	1,176	1,542	2,107	1,959	2,289	2,092	1,900
Dismissed by the Court										
<i>Total Charges</i> <i>Percentage of Arrest Charges</i>	1 0.3%	3 0.4%	2 0.2%	3 0.3%	8 0.5%	2 0.1%	4 0.2%	1 0.0%	0 0.0%	1 0.1%
Not Filed for Prosecution										
<i>Total Charges</i> <i>Percentage of Arrest Charges</i>	0 0.0%	1 0.1%	0 0.0%	0 0.0%	1 0.1%	0 0.0%	0 0.0%	1 0.0%	0 0.0%	1 0.1%
Plea to Other Charges										
<i>Total Charges</i> <i>Percentage of Arrest Charges</i>	0 0.0%	0 0.0%	0 0.0%	1 0.1%	0 0.0%	1 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Deferred by the Prosecution										
<i>Total Charges</i> <i>Percentage of Arrest Charges</i>	0 0.0%	0 0.0%	0 0.0%	1 0.1%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Conviction (includes nolo contendere pleas and charges affirmed in appellate court)										
<i>Total Charges</i> <i>Percentage of Arrest Charges</i>	10 2.9%	27 3.3%	34 3.6%	43 3.7%	40 2.6%	77 3.7%	115 5.9%	125 5.5%	116 5.5%	102 5.4%

\* Non-identity theft related disposition charges include the following: Arizona Revised Statutes §13-1201, §13-1602, §13-1802, §13-2002, §13-2003, §13-2004, §13-2005, §13-2006, §13-2007, §13-2102, §13-2103, §13-2105, §13-2107, §13-2310, §13-2311, §13-2319, §13-2404, §13-2407, §13-2408, §13-2409, §13-2506, §13-2511, §13-2704, §13-2809, §13-2810, §13-2902, §13-2904, §13-2907, §13-3002, §13-3102, §13-3405, §13-3407, §13-3408, §13-3415, §13-3620, §13-3904, §28-1381, §28-2531, §28-3473, §28-3476, and §32-2165.

Only some of the identity theft arrest charges led to non-identity theft related disposition charges, which explains why the percentages do not equal 100 percent.

### *Aggravated Identity Theft Arrests and Subsequent Disposition Data*

In this section, the focus turns to arrests and arrest charges for aggravated identity theft (A.R.S. §13-2009 offenses). Exactly as in the previous section, the disposition tables provide findings separated by each disposition charge.

<b>Table 3. Aggravated Identity Theft Arrest and Arrest Charge Data in ACCH FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Arrests including Aggravated Identity Theft	215	310	434	461	333
Aggravated Identity Theft Arrest Charge	276	341	586	544	590
Aggravated Identity Theft Arrest Charge With No Final Disposition Data in the ACCH	143	126	146	175	358
Percentage of Aggravated Identity Theft Arrest Charges With No Final Disposition Data in the ACCH	51.8%	37.0%	24.9%	32.2%	60.7%

Aggravated identity theft was enacted during FY 2006, and the number of arrests involving aggravated identity theft increased from 215 in FY 2006 to a total of 333 in FY 2010 (Table 3).

From these arrests, the total number of aggravated identity theft arrest charges rose by nearly 114 percent over the five-year period.

The percentage of aggravated identity theft arrest counts missing subsequent disposition information in the ACCH fell from 51.8 percent in FY 2006 to a low of 24.9 percent in FY 2008 (Table 3). After FY 2008, the percentage increased to 60.7 percent by FY 2010. Again, this increase in the last two fiscal years is likely due to the FY 2009 and FY 2010 cases having less time to reach conclusion compared to cases from prior fiscal years.

Over the five fiscal years, 88.8 percent of aggravated identity theft arrest charges with finalized disposition information resulted in a disposition charge for aggravated identity theft. The total number of aggravated identity theft arrest charges leading to aggravated identity theft disposition charges dismissed in court rose from 41 in FY 2006 to 91 in FY 2010 (Table 4a). The percentage of arrest charges leading to dismissed cases increased from 14.9 percent to 15.4 percent over this period. Aggravated identity theft arrest charges that were not filed increased in number, but the percentage of the total number of arrest charges fell from 10.1 percent in FY 2006 to 5.9 percent in FY 2010. Charges not referred by law enforcement fell in both number and the percentage of total aggravated identity theft arrest counts. Finally, only a handful of aggravated identity theft arrest charges resulted in aggravated identity theft disposition charges leading to acquittal or pleas to other charges.

<b>Table 4a. Aggravated Identity Theft Arrest Charges Leading to Aggravated Identity Theft Disposition Charges* in the ACCH by Disposition Result, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Aggravated Identity Theft Arrest Charges	276	341	586	544	590
Dismissed by the Court					
<i>Total Charges</i>	41	44	99	98	91
<i>Percentage of Arrest Charges</i>	14.9%	12.9%	16.9%	18.0%	15.4%
Not Filed for Prosecution					
<i>Total Charges</i>	28	65	149	88	35
<i>Percentage of Arrest Charges</i>	10.1%	19.1%	25.4%	16.2%	5.9%
Not Referred to Prosecutors					
<i>Total Charges</i>	9	10	21	10	2
<i>Percentage of Arrest Charges</i>	3.3%	2.9%	3.6%	1.8%	0.3%
Acquitted/Found Not Guilty					
<i>Total Charges</i>	0	0	1	1	1
<i>Percentage of Arrest Charges</i>	0.0%	0.0%	0.2%	0.2%	0.2%
Plea to Other Charges					
<i>Total Charges</i>	1	1	2	2	0
<i>Percentage of Arrest Charges</i>	0.4%	0.3%	0.3%	0.4%	0.0%
Conviction					
<i>Total Charges</i>	47	71	129	130	58
<i>Percentage of Arrest Charges</i>	17.0%	20.8%	22.0%	23.9%	9.8%

\* A number of aggravated identity theft arrest charges led to other disposition charges or were missing disposition information. Thus, the percentages in Table 4a do not make up 100 percent of the total number of aggravated identity theft arrest charges.



Aggravated identity theft arrest charges leading to aggravated identity theft convictions increased from 47 in FY 2006 to 130 in FY 2009 before dropping to 58 by FY 2010. Despite this increase in the total, the percentage of total aggravated identity theft arrest charges resulting in a conviction of the same charge decreased from 17.0 percent in FY 2006 to 9.8 percent in FY 2010. The percentage of arrest charges with a conviction reached a high of 23.9 percent in FY 2009.

Of all aggravated identity theft arrest charges with disposition information in the ACCH, 5.1 percent of these charges led to a reduced disposition charge for identity theft. A small number of these arrest charges leading to identity theft dispositions were dismissed in court or not filed by the prosecutor (Table 4b). The rest of the arrest charges led to identity theft convictions,

<b>Table 4b. Aggravated Identity Theft Arrest Charges Leading to Identity Theft Disposition Charges* in the ACCH by Disposition Result, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Aggravated Identity Theft Arrest Charges	276	341	586	544	590
Dismissed by the Court					
<i>Total Charges</i>	3	2	0	0	1
<i>Percentage of Arrest Charges</i>	1.1%	0.6%	0.0%	0.0%	0.2%
Not Filed for Prosecution					
<i>Total Charges</i>	1	0	0	0	0
<i>Percentage of Arrest Charges</i>	0.4%	0.0%	0.0%	0.0%	0.0%
Conviction					
<i>Total Charges</i>	1	17**	16	14	16
<i>Percentage of Arrest Charges</i>	0.4%	5.0%	2.7%	2.6%	2.7%

\* Only a small number of aggravated identity theft arrest charges led to identity theft disposition charges, which explains why the percentages do not equal 100 percent.

\*\* One arrest charge resulted in a disposition charge for the outdated §13-2708 identity theft statute despite both the offense and arrest date taking place after the repealing of the old identity theft statute.

with the total number increasing from one in FY 2006 to 16 in FY 2010. The percentage of all aggravated identity theft arrest charges leading to identity theft convictions ranged from a low of 0.4 percent in FY 2006 to a high of 5.0 percent in FY 2007. From FY 2008 to FY 2010, the percentage stayed mostly level at 2.7 percent. In 2007, one conviction charge was coded in the repealed §13-2708 identity theft statute.

<b>Table 4c. Aggravated Identity Theft Arrest Charges Leading to Non-Identity Theft Related Disposition Charges* in the ACCH by Disposition Result, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Aggravated Identity Theft Arrest Charges	276	341	586	544	590
Conviction (includes charges affirmed in appellate court)					
<i>Total Charges</i>	2	5	23	26	28
<i>Percentage of Arrest Charges</i>	0.7%	1.5%	3.9%	4.8%	4.7%

\* Non-identity theft related disposition charges include the following: Arizona Revised Statutes §13-1201, §13-2002, §13-2003, §13-2004, §13-2006, §13-2308, §13-2310, §13-2311, §13-2316, §13-2407, §13-3407, and §13-3415. Only a number of all aggravated identity theft arrest charges led to non-identity theft related disposition charges, which explains why the percentages do not equal 100 percent.

Approximately 6.0 percent of all aggravated identity theft arrest charges with disposition information led to a conviction for a non-identity theft related offense. The total number of convictions increased from 2 in FY 2006 to 28 in FY 2010, and the percentage of aggravated identity theft arrest charges leading to a non-identity theft related conviction increased from 0.7 percent to 4.7 percent over the same period (Table 4c). The variety of non-identity theft related conviction charges are noted just below Table 4c.

#### *Identity Trafficking Arrests and Subsequent Disposition Data*

The following section turns the attention to arrests and arrest charges for identity trafficking (A.R.S. §13-2010 offenses). Again, the disposition tables provide findings separated by each disposition charge.

During the same time that A.R.S. §13-2009 was introduced, the identity trafficking statute, A.R.S. §13-2010, was enacted into law. The total number of arrests involving an identity trafficking charge rose from 54 in FY 2006 to 124 in FY 2010, a 130 percent increase over the five-year period (Table 5). The total number of identity trafficking arrest charges also increased by 45 percent from 169 in FY 2006 to 245 in FY 2010.

The total number of identity trafficking arrest charges missing subsequent disposition information fluctuated from FY 2006 to FY 2010. After rising from 41 to 88 charges missing disposition information from FY 2006 to FY 2007, the total dropped back down to 37 in FY 2008 before increasing again to 111 charges missing disposition information in FY 2010. The percentage of all identity trafficking arrest charges missing disposition information ranged from 61.1 percent in FY 2007 to 16.8 percent in FY 2009. In FY 2010, 45.3 percent of charges were missing disposition information. The increase in the percentage of arrest charges missing disposition information from FY 2009 to FY 2010 is likely due to the short turnaround time afforded to prosecutors and courts to process and enter case information by January 2011 compared to the other fiscal years.

<b>Table 5. Identity Trafficking Arrest and Arrest Charges Data in ACCH FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Arrests including Identity Trafficking	54	82	109	107	124
Identity Trafficking Arrest Charges	169	144	186	285	245
Identity Trafficking Arrest Charges With No Final Disposition Data in the ACCH	41	88	37	48	111
Percentage of Aggravated Identity Theft Arrest Charges With No Final Disposition Data in the ACCH	24.3%	61.1%	19.9%	16.8%	45.3%

Of the identity trafficking arrest charges with disposition information from FY 2006 to FY 2010, 95.2 percent of the charges resulted in the same disposition charge for identity trafficking. The number of identity trafficking arrest charges resulting in the same charge at case disposition that were dismissed by the court was 55 in both FY 2006 and FY 2010, despite ranging from a low of 25 in FY 2007 to a high of 87 in FY 2009 (Table 6a). The percentage of identity

trafficking arrest charges resulting in court dismissal for identity trafficking fell from 32.5 percent in FY 2006 to 22.4 percent in FY 2010. Identity trafficking arrest charges not filed declined from 35 in FY 2006 to 2 in FY 2010, a drop from 20.7 percent of all identity trafficking arrest charges to 0.8 percent over the time period examined. A significant number of charges were also not referred by law enforcement to the prosecution during FY 2008 and FY 2009. Only one plea to another charge took place during the time period examined (FY 2008) for identity trafficking arrest charges leading to the same disposition charge.

Identity trafficking convictions, on the other hand, rose in both total and percentage of identity trafficking arrest charges (Table 6a). Identity trafficking arrest charges leading to identity trafficking convictions increased from 34 in FY 2006 to 64 in FY 2010, an 88.2 percent increase. The percentage of identity trafficking arrest charges leading to an identity trafficking conviction also increased from 20.1 percent in FY 2006 to 26.1 percent in FY 2010.

<b>Table 6a. Identity Trafficking Arrest Charges Leading to Identity Trafficking Disposition Charges* in the ACCH by Disposition Result, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Identity Trafficking Arrest Charges	169	144	186	285	245
Dismissed by the Court					
<i>Total Charges</i>	55	25	53	87	55
<i>Percentage of Arrest Charges</i>	32.5%	17.4%	28.5%	30.5%	22.4%
Not Filed for Prosecution					
<i>Total Charges</i>	35	13	9	19	2
<i>Percentage of Arrest Charges</i>	20.7%	9.0%	4.8%	6.7%	0.8%
Not Referred to Prosecutor					
<i>Total Charges</i>	1	0	32	62	0
<i>Percentage of Arrest Charges</i>	0.6%	0.0%	17.2%	21.8%	0.0%
Plea to Other Charges					
<i>Total Charges</i>	0	0	1	0	0
<i>Percentage of Arrest Charges</i>	0.0%	0.0%	0.5%	0.0%	0.0%
Conviction <i>(includes one charge affirmed in appellate court)</i>					
<i>Total Charges</i>	34	14	44	65	64
<i>Percentage of Arrest Charges</i>	20.1%	9.7%	23.7%	22.8%	26.1%

\* A number of identity trafficking arrest charges led to other disposition charges or were missing disposition information. Thus, the percentages in Table 6a do not make up 100 percent of the total number of identity trafficking arrest charges.

Over the five-year period, 2.3 percent of identity trafficking arrest charges with subsequent disposition information resulted in identity theft disposition convictions. The total number of convictions increased from one in FY 2006 to five in FY 2010, and the percentage of all identity trafficking arrest charges leading to identity theft convictions increased from 0.6 percent to 2.0 percent over this same period (Table 6b).

<b>Table 6b. Identity Trafficking Arrest Charges Leading to Identity Theft Disposition Charges* in the ACCH by Disposition Result, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Identity Trafficking Arrest Charges	169	144	186	285	245
Conviction					
<i>Total Charges</i>	1	3	6	1	5
<i>Percentage of Arrest Charges</i>	0.6%	2.1%	3.2%	0.4%	2.0%

\* Only a small number of identity trafficking arrest charges led to identity theft disposition charges, which explains why the percentages do not equal 100 percent.

When looking at identity trafficking arrest charges with available disposition information from FY2006 to FY 2010, the percentage of these charges that resulted in a conviction for a non-identity theft offense was 2.6 percent. The total number of identity trafficking arrest charges leading to a non-identity theft conviction increased from one in FY 2006 to eight in FY 2010 (Table 6c). The percentage of identity trafficking arrest charges leading to a non-identity theft related conviction grew from 0.6 percent to 3.3 percent over the same five-year period.

<b>Table 6c. Identity Trafficking Arrest Charges Leading to Non-Identity Theft Related Disposition Charges* in the ACCH by Disposition Result, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
Identity Trafficking Arrest Charges	169	144	186	285	245
Dismissed by the Court					
<i>Total Charges</i>	1	0	0	0	0
<i>Percentage of Arrest Charges</i>	0.6%	0.0%	0.0%	0.0%	0.0%
Conviction					
<i>Total Charges</i>	1	1	4	3	8
<i>Percentage of Arrest Charges</i>	0.6%	0.7%	2.2%	1.1%	3.3%

\* Non-identity theft related disposition charges include the following: Arizona Revised Statutes §13-1201, §13-1802, §13-2002, §13-2003, §13-2006, §13-2102, §13-2310, §13-2316, §13-2810, and §13-3408. Only a small number of identity trafficking arrest charges led to non-identity theft related disposition charges, which explains why the percentages do not equal 100 percent.

All non-identity theft related disposition charges resulting from identity trafficking arrest charges are listed in the footnote of Table 6c.

### *Other Arrest Charges Leading to Identity Theft-Related Dispositions*

In this section, information on arrest charges for non-identity theft related offenses that contain subsequent disposition data for an identity theft-related charge is summarized (Table 7a). The disposition tables are divided by each identity theft-related offense type (i.e., identity theft, aggravated identity theft, or identity trafficking) in the same manner as the other previous sections.

The total number of non-identity theft related arrest charges leading to an identity theft disposition charge (specifically A.R.S. §13-2008 and A.R.S. §13-2708) increased from three in FY 2001 to 28 in FY 2010, an increase of 833 percent over this period (Table 7a). A total of 18 charges resulted in a court dismissal between FY 2002 and FY 2008, and only a handful of

**Table 7a. Non-Identity Theft Related Arrest Charges\* Leading to Identity Theft Disposition Charges in the ACCH by Disposition Result, FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total Number of Arrest Charges	3	5	8	7	12	21	12	15	14	28
Charges Dismissed by the Court	0	2	2	1	5	4	1	3	0	0
Charges Not Filed	1	0	2	0	0	1	0	0	0	0
Charges Resulting in Pleas to Other Charges	0	0	0	0	1	0	0	0	0	0
Charges Resulting in a Conviction	2	3	4	6	6	16	11	12	14	28

\* Non-identity theft related arrest charges include the following: Arizona Revised Statutes §13-1003, §13-1507, §13-1602, §13-1802, §13-2002, §13-2003, §13-2006, §13-2102, §13-2105, §13-2108, §13-2310, §13-2311, §13-2507, §13-2810, §13-2907, §13-3408, §13-3415, and §32-1965.

charges were not filed or resulted in pleas to other charges. The largest percentage of non-identity theft related arrest charges led to an identity theft conviction. Only two convictions took place in FY 2001, but this total increased to 28 by FY 2010. All non-identity theft arrest charge statutes applicable to charges in Table 7a are listed in the table's footnote.

**Table 7b. Non-Identity Theft Related Arrest Charges\* Leading to Aggravated Identity Theft Disposition Charges in the ACCH by Disposition Result, FY 2006-2010**

	2006	2007	2008	2009	2010
Total Number of Arrest Charges	2	2	2	5	1
Charges Dismissed by the Court	1	1	1	2	0
Charges Resulting in a Conviction	1	1	1	3	1

\* Non-identity theft related arrest charges include the following: Arizona Revised Statutes §13-1003, §13-1802, §13-2002, §13-2102, and §13-2310.

A small number of non-identity theft related arrest charges resulted in an aggravated identity theft disposition charge from FY 2006 to FY 2010 (Table 7b). Of the twelve non-identity theft related arrest charges that were disposed of as aggravated identity theft, five led to court dismissals. Each fiscal year, at least one non-identity theft related arrest charge led to an aggravated identity theft conviction. The only year with more than one conviction was FY 2009 with three. Non-identity theft related arrest charge statutes are listed in the footnote in Table 7b.

**Table 7c. Non-Identity Theft Related Arrest Charges\* Leading to Identity Trafficking Disposition Charges in the ACCH by Disposition Result, FY 2006-2010**

	2006	2007	2008	2009	2010
Total Number of Arrest Counts	0	0	0	0	2
Charges Resulting in a Conviction	0	0	0	0	2

\* Non-identity theft related arrest charges include the following: Arizona Revised Statutes §13-2312 and §13-3407.

In FY 2010, two non-identity theft related arrest charges resulted in identity trafficking convictions (Table 7c). The two non-identity theft arrest charge statutes are listed in the footnote of Table 7c.

### *Identity Theft-Related Arrest Totals and Rates by County*

The following data explores the number and rate of identity theft-related arrests among Arizona's counties. Identity theft-related arrests include any arrest in the ACCH that consists of at least one arrest charge for identity theft, aggravated identity theft, or identity trafficking. Again, aggravated identity theft and identity trafficking statutes were not introduced into Arizona law until FY 2006.

Data from the ACCH shows that the total number of arrests made in Arizona involving at least one identity theft arrest count rose more than 410 percent from FY 2001 to FY 2010, and the arrest rate across the state increased from 5.8 arrests involving at least one identity theft arrest count per 100,000 residents in FY 2001 to 24.4 arrests per 100,000 residents in FY 2010 (Table 8). When broken down by county, close to two of every three (65.6 percent) arrests involving at least one count for identity theft reported to the ACCH from FY 2001 to FY 2010 were made in Maricopa County. Pima County law enforcement agencies arrested the second highest number of individuals for offenses related to identity theft, accounting for 7.5 percent of arrests statewide involving identity theft-related offenses. Seven percent of arrests related to identity theft were made by state, federal or tribal agencies within Arizona.

With respect to arrest rates, all but one county, Graham County, experienced an increase in their identity theft-related arrest rates from FY 2001 to FY 2010 (Table 8). Although Graham County law enforcement agencies reported as many as six arrests involving identity theft-related offenses in a single year (FY 2009), no identity theft-related arrests were reported in FY 2010. Apache, Cochise, Navajo, Pima and Pinal Counties each had increasing arrest rates; however, these counties did not have an arrest rate across all ten fiscal years that equaled or exceeded the arrest rate for the state as a whole. Coconino, Gila, Greenlee, La Paz, Mohave and Santa Cruz Counties had three or less fiscal year arrest rates at or above the state arrest rate in the ACCH.

Maricopa, Yavapai and Yuma Counties experienced extended periods with arrest rates above the Arizona arrest rate (Table 8). The Yavapai County identity theft-related arrest rate increased dramatically from 9.1 arrests per 100,000 residents in FY 2004 to 30.2 in FY 2005, well above the state arrest rate. From FY 2006 to FY 2010, the Yavapai County arrest rate remained above the state arrest rate and reached a high across all counties in FY 2007 of 92.0 arrests involving identity theft per 100,000 residents. According to the ACCH arrest data, Yuma County's identity theft-related arrest rate was higher than the state arrest rate from FY 2001 to FY 2007, reaching a high of 37.4 arrests per 100,000 residents in FY 2007. After FY 2007, the Yuma County arrest rate has dropped below the state arrest rate, reaching its lowest point since 2003 in FY 2010. With the exception of FY 2007, the Maricopa County identity theft-related arrest rate was consistently at or above the state arrest rate.

**Table 8. Identity Theft-Related Arrest Total and Arrest Rate (Per 100,000 Residents)  
in the ACCH by County, FY 2001-2010**

		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Apache County	<i>Arrest Total</i>	0	0	0	1	0	4	3	7	6	4
	<i>Arrest Rate</i>	0.0	0.0	0.0	1.5	0.0	5.8	4.3	10.0	8.4	5.6
Cochise County	<i>Arrest Total</i>	1	4	5	11	13	15	19	16	16	18
	<i>Arrest Rate</i>	0.8	3.3	4.1	8.9	10.3	11.8	14.8	12.4	12.3	13.7
Coconino County	<i>Arrest Total</i>	1	3	15	16	13	25	59	49	23	21
	<i>Arrest Rate</i>	0.8	2.5	12.2	12.8	10.2	19.4	45.2	37.2	17.2	15.6
Gila County	<i>Arrest Total</i>	0	3	2	5	10	6	18	17	16	15
	<i>Arrest Rate</i>	0.0	5.8	3.9	9.7	19.4	11.4	33.8	31.8	29.9	28.0
Graham County	<i>Arrest Total</i>	0	0	0	1	1	2	3	0	6	0
	<i>Arrest Rate</i>	0.0	0.0	0.0	3.1	3.0	5.9	8.5	0.0	16.0	0.0
Greenlee County	<i>Arrest Total</i>	0	2	0	0	0	0	0	1	1	1
	<i>Arrest Rate</i>	0.0	25.5	0.0	0.0	0.0	0.0	0.0	11.7	11.6	12.0
La Paz County	<i>Arrest Total</i>	0	1	1	3	3	5	4	10	1	5
	<i>Arrest Rate</i>	0.0	5.1	5.1	15.0	14.7	24.3	19.4	48.6	4.9	24.4
Maricopa County	<i>Arrest Total</i>	249	483	542	600	741	1,063	1,045	1,218	1,189	1,042
	<i>Arrest Rate</i>	7.8	14.8	16.3	17.6	20.9	29.2	28.2	32.3	31.3	27.2
Mohave County	<i>Arrest Total</i>	5	10	15	27	19	53	53	48	54	52
	<i>Arrest Rate</i>	3.1	6.0	8.7	15.0	10.1	27.0	26.5	24.0	27.0	26.0
Navajo County	<i>Arrest Total</i>	1	1	2	6	7	14	17	9	13	11
	<i>Arrest Rate</i>	1.0	1.0	2.0	5.8	6.7	13.3	15.9	8.4	12.1	10.2
Pima County	<i>Arrest Total</i>	18	29	44	44	62	107	181	200	159	93
	<i>Arrest Rate</i>	2.1	3.3	5.0	4.9	6.7	11.4	18.9	20.7	16.3	9.5
Pinal County	<i>Arrest Total</i>	4	5	9	10	11	23	24	53	68	65
	<i>Arrest Rate</i>	2.1	2.5	4.3	4.6	4.7	8.5	7.8	15.8	19.4	16.9
Santa Cruz County	<i>Arrest Total</i>	0	2	5	4	6	7	10	20	2	4
	<i>Arrest Rate</i>	0.0	5.0	12.3	9.6	14.0	15.8	22.1	43.3	4.3	8.4
Yavapai County	<i>Arrest Total</i>	2	10	23	17	59	97	192	169	133	62
	<i>Arrest Rate</i>	1.2	5.6	12.6	9.1	30.2	47.5	92.0	80.0	63.0	29.4
Yuma County	<i>Arrest Total</i>	10	46	29	40	62	63	70	48	50	35
	<i>Arrest Rate</i>	6.1	27.8	17.3	23.1	34.7	34.3	37.4	25.1	25.8	17.8
State/Federal/ Tribal	<i>Arrest Total</i>	15	29	25	35	56	103	146	164	169	134
<b>State of Arizona</b>	<b><i>Arrest Total</i></b>	<b>306</b>	<b>628</b>	<b>717</b>	<b>820</b>	<b>1,063</b>	<b>1,587</b>	<b>1,844</b>	<b>2,029</b>	<b>1,906</b>	<b>1,562</b>
	<b><i>Arrest Rate</i></b>	<b>5.8</b>	<b>11.6</b>	<b>13.0</b>	<b>14.5</b>	<b>18.2</b>	<b>26.3</b>	<b>29.9</b>	<b>32.3</b>	<b>30.0</b>	<b>24.4</b>

### *Identity Theft-Related Conviction Totals and Rates by County*

Despite a 651 percent increase in the total number of identity theft-related arrest charges leading to identity theft-related convictions in Arizona from FY 2001 to FY 2010, the percentage of all identity theft-related arrest charges leading to identity theft-related convictions decreased from 12.6 percent to 11.8 percent over this period (Table 9). Nearly three of every four (74.4 percent) identity theft-related arrest charges leading to an identity theft-related conviction were from Maricopa County. Seven percent of convictions statewide came from Yavapai County and 5.2 percent came from Pima County. An additional 5.6 percent of identity theft-related arrest charges that resulted in an identity theft-related conviction from FY 2001 to FY 2010 are linked to arrest charges entered by state, federal or tribal law enforcement agencies.

None of the arrests for an identity theft-related charge originating from Greenlee and La Paz County law enforcement agencies resulted in a conviction (Table 9). A number of identity theft-related arrest counts from Coconino and Gila Counties resulted in identity theft-related convictions; however, the percentages of convictions resulting from arrest charges over the ten-year period were below the percentages for the state. The percentages of identity theft-related arrests resulting in a conviction in Maricopa County was higher than the percentage for the state from FY 2002 to FY 2010 while all of the remaining counties fluctuated above and below the state percentage for identity theft-related arrest charges leading to an identity theft-related conviction over the time period examined.

Since the data in Table 9 includes all identity theft-related arrest charges from FY 2001 to FY 2010, it is important to recognize that 37.2 percent of identity theft-related arrest charges were missing dispositions in these statistics. In addition to missing dispositions that were a result of mistakes in the disposition reporting process, identity theft-related arrest charges submitted during FY 2010, although provided at least 180 days for disposition completion and submission to the Arizona Department of Public Safety, were given a significantly shorter time period for subsequent disposition completion and entry into the ACCH than prior fiscal year charges.



**Table 9. Number and Percentage of Identity Theft-related Arrest Charges Leading to an Identity Theft-related Conviction Charge in the ACCH by County, FY 2001-2010**

		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Apache County	<i>Convictions</i>	0	0	0	0	0	1	2	4	2	0
	<i>Percent of Total</i>	N/A	N/A	N/A	0.0%	N/A	25.0%	66.7%	44.4%	28.6%	0.0%
Cochise County	<i>Convictions</i>	0	4	1	2	4	4	2	3	0	3
	<i>Percent of Total</i>	0.0%	80.0%	9.1%	14.3%	7.4%	19.0%	5.3%	8.8%	0.0%	13.6%
Coconino County	<i>Convictions</i>	0	0	1	2	1	1	9	3	0	1
	<i>Percent of Total</i>	0.0%	0.0%	5.6%	12.5%	6.3%	2.9%	11.0%	5.7%	0.0%	2.9%
Gila County	<i>Convictions</i>	0	0	0	0	3	0	0	1	1	0
	<i>Percent of Total</i>	N/A	0.0%	0.0%	0.0%	20.0%	0.0%	0.0%	3.0%	4.0%	0.0%
Graham County	<i>Convictions</i>	0	0	0	0	0	0	1	0	0	0
	<i>Percent of Total</i>	N/A	N/A	N/A	0.0%	0.0%	0.0%	33.3%	N/A	0.0%	N/A
Greenlee County	<i>Convictions</i>	0	0	0	0	0	0	0	0	0	0
	<i>Percent of Total</i>	N/A	0.0%	N/A	N/A	N/A	N/A	N/A	0.0%	0.0%	0.0%
La Paz County	<i>Convictions</i>	0	0	0	0	0	0	0	0	0	0
	<i>Percent of Total</i>	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Maricopa County	<i>Convictions</i>	33	78	102	124	274	322	263	340	318	247
	<i>Percent of Total</i>	11.9%	12.6%	14.4%	13.5%	26.1%	19.3%	18.5%	18.8%	18.5%	12.7%
Mohave County	<i>Convictions</i>	2	2	2	4	1	11	16	11	4	6
	<i>Percent of Total</i>	40.0%	20.0%	12.5%	14.3%	4.8%	16.9%	21.6%	16.7%	7.3%	7.7%
Navajo County	<i>Convictions</i>	0	0	1	0	0	1	3	1	0	1
	<i>Percent of Total</i>	0.0%	0.0%	50.0%	0.0%	0.0%	6.7%	14.3%	10.0%	0.0%	8.3%
Pima County	<i>Convictions</i>	3	5	3	8	5	17	29	27	34	17
	<i>Percent of Total</i>	15.8%	16.7%	6.3%	15.1%	6.1%	11.0%	13.2%	11.2%	17.1%	15.7%
Pinal County	<i>Convictions</i>	1	1	2	1	4	1	4	7	5	6
	<i>Percent of Total</i>	25.0%	20.0%	22.2%	7.7%	33.3%	3.2%	16.0%	6.8%	2.5%	7.0%
Santa Cruz County	<i>Convictions</i>	0	0	2	0	1	0	1	1	0	0
	<i>Percent of Total</i>	N/A	0.0%	40.0%	0.0%	12.5%	0.0%	10.0%	3.8%	0.0%	0.0%
Yavapai County	<i>Convictions</i>	1	4	4	3	14	35	37	42	38	20
	<i>Percent of Total</i>	50.0%	33.3%	11.8%	16.7%	15.1%	28.2%	15.2%	13.4%	16.5%	20.4%
Yuma County	<i>Convictions</i>	2	4	3	5	6	10	6	5	7	10
	<i>Percent of Total</i>	13.3%	6.8%	5.8%	9.6%	6.9%	11.4%	6.5%	7.2%	8.3%	20.8%
State/Federal/ Tribal	<i>Convictions</i>	1	2	1	4	5	67	12	32	23	12
<b>State of Arizona</b>	<b><i>Convictions</i></b>	<b>43</b>	<b>100</b>	<b>122</b>	<b>153</b>	<b>318</b>	<b>470</b>	<b>385</b>	<b>477</b>	<b>432</b>	<b>323</b>
	<b><i>Percent of Total</i></b>	<b>12.6%</b>	<b>12.1%</b>	<b>13.1%</b>	<b>13.0%</b>	<b>20.6%</b>	<b>18.4%</b>	<b>15.8%</b>	<b>15.6%</b>	<b>14.8%</b>	<b>11.8%</b>

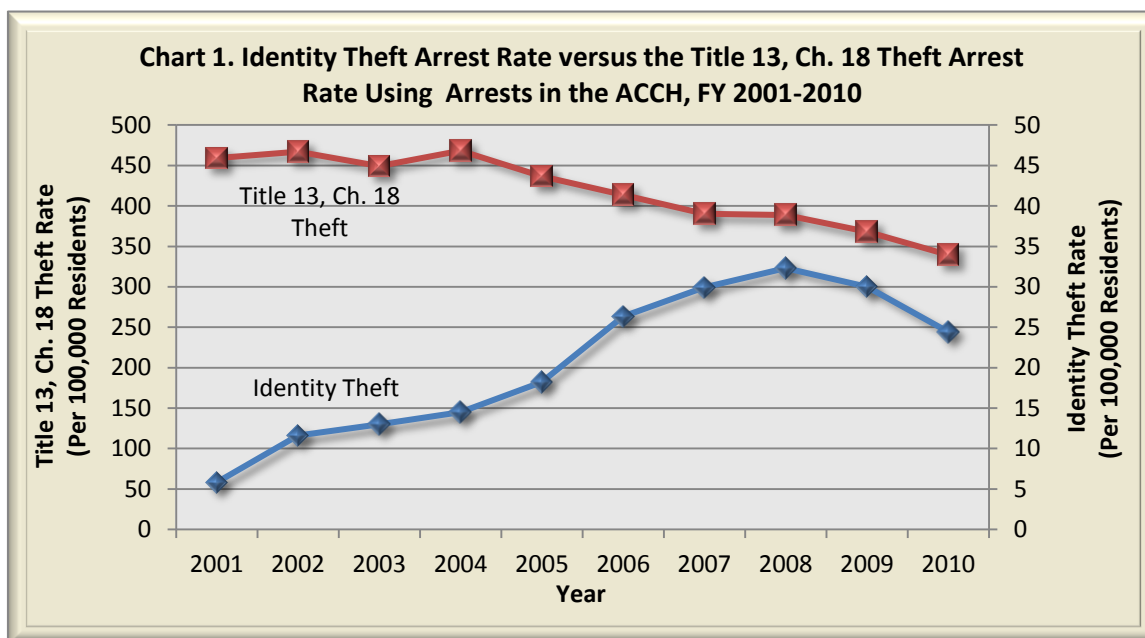
### *Rates for Arizona Revised Statute Identity Theft versus Theft Offenses*

According to the identity theft data available in the ACCH, the rate of arrests involving at least one charge for an identity theft-related offense statewide has increased substantially from FY 2001 to FY 2010. Although very informative in its own right, the identity theft arrest rate can be further understood by comparing the rate to the arrest rate for other theft offenses. The following section will analyze the variation between identity theft-related arrests and convictions and theft-related arrests and convictions. According to Title 13, Chapter 18 of the Arizona Revised Statutes, theft statutes include theft, shoplifting, theft by extortion, organized retail theft, issuing bad checks, unlawful use or theft of means of transportation, and other various theft offenses (excluding identity theft statutes). These various offenses within Chapter 18, Title 13 of the Arizona Revised Statutes are used to create the theft arrest rate. The Title 13, Ch. 18 theft arrest rate provided in the report is not comparable to other theft arrest rates, including the rates calculated in the Federal Bureau of Investigations' Uniform Crime Reporting Program.

**Table 10. Identity Theft-Related Arrest Rate (Per 100,000 Residents) versus the Title 13, Ch. 18 Theft Arrest Rate (Per 100,000 Residents) Using Arrests in the ACCH, FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Identity Theft-Related Arrest Rate	5.8	11.6	13.0	14.5	18.2	26.3	29.9	32.3	30.0	24.4
Title 13, Ch. 18 Theft Arrest Rate	459.0	466.9	449.3	468.3	436.3	413.6	390.3	388.5	367.9	339.4

The Title 13, Ch. 18 theft arrest rate is significantly higher than the identity theft arrest rate when calculated using the arrest data available in the ACCH throughout the time period examined (Table 10). The arrest rate for identity theft-related arrests increased from 5.8 per 100,000 Arizona residents in FY 2001 to a high of 32.3 in FY 2008. The rate dropped in FY 2009 and again in FY 2010 ended the decade at 24.4 per 100,000 residents. The arrest rate for



arrests involving a Title 13, Ch. 18 theft charge fluctuated from FY 2001 to FY 2004 before dropping to a ten-year low of 339.4 per 100,000 residents in FY 2010.

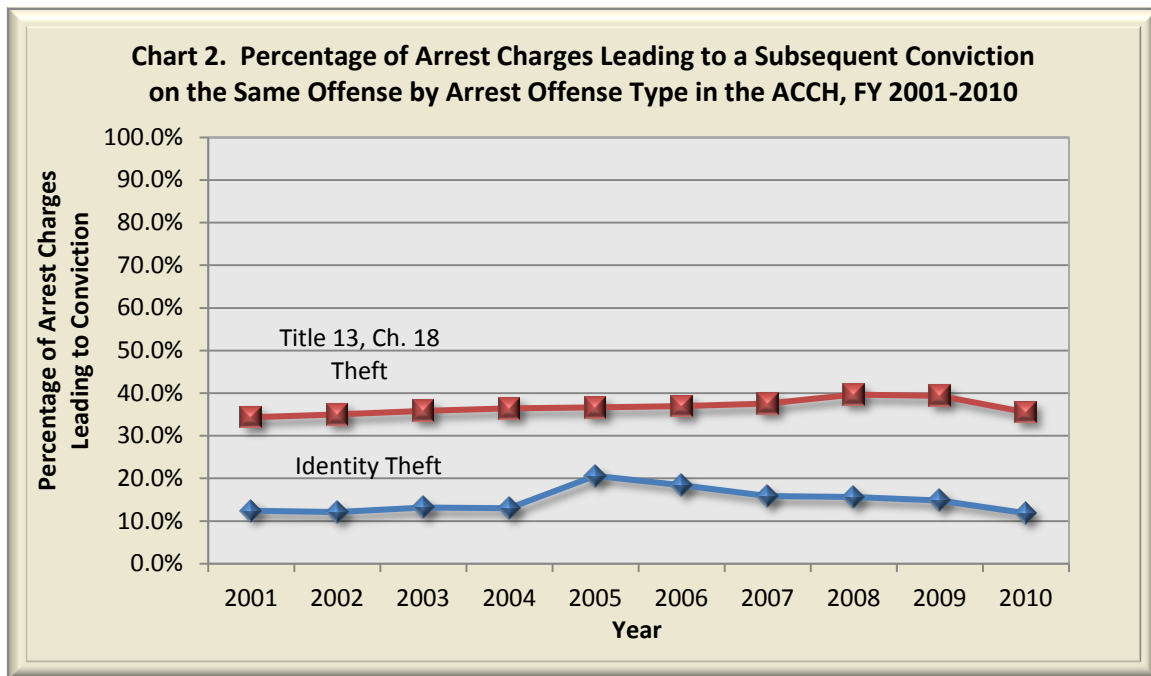
According to the ACCH data, the Title 13, Ch. 18 theft arrest rate began to drop during FY 2005 (Chart 1). Alternately, the arrest rate for identity theft-related arrests did not begin its descent until FY 2009. In fact, the identity theft-related arrest rate continued a significant climb over the first eight years of the analysis period. Between FY 2001 and FY 2008, the identity theft-related arrest rate increased by more than 456 percent while the Title 13, Ch. 18 theft arrest rate decreased more than 15 percent. From FY 2008 to FY 2010, the identity theft-related arrest rate fell more than 24 percent, and the Title 13, Ch. 18 theft arrest rate dropped more than 12 percent.

**Table 11. Percentage of Identity Theft-related Arrest Charges Leading to Identity Theft-related Convictions and Title 13, Ch. 18 Theft Arrest Charges Leading to Theft Convictions Using Arrests in the ACCH, FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Percentage of Identity Theft-Related Arrest Charges Leading to Identity Theft-related Convictions	12.6%	12.1%	13.1%	13.0%	20.6%	18.4%	15.8%	15.6%	14.8%	11.8%
Percentage of Title 13, Ch. 18 Theft Arrest Charges Leading to Theft Convictions	34.3%	35.0%	35.8%	36.4%	36.6%	36.9%	37.5%	39.6%	39.3%	35.5%

Also available for comparison is the percentage of arrest charges leading to a subsequent conviction on the original charge. The percentage of identity theft-related arrest charges that led to an identity theft-related conviction was 12.6 percent for FY 2001 identity theft-related arrest charges and increased to a high of 20.6 percent in FY 2005 (Table 11). After FY 2005, the percentage of arrest charges leading to an identity theft-related conviction fell to 11.8 percent by FY 2010. In comparison, the percentage of Title 13, Ch. 18 theft-related arrest charges leading to a subsequent theft-related conviction remained rather stable throughout the time period examined, but increased from 34.3 percent in FY 2001 to 35.5 percent in FY 2010. The percentage of Title 13, Ch. 18 theft-related arrests that led to a theft-related conviction reached a high of 39.6 percent in FY 2008. It is important to stress the fact that disposition data in the more recent years were given less time for disposition completion and entry into the ACCH when compared to earlier years. This will have an effect on the percentages during the most recent years of study.

The percentage of identity theft-related arrest charges leading to identity theft-related convictions consistently fell short of the percentages for Title 13, Ch. 18 theft-related charges from FY 2001 to FY 2010 (Chart 2). The percentage of arrests that led to convictions for both identity theft and Title 13, Ch. 18 theft charges increased from FY 2001 to FY 2005; however, the identity theft percentage fell from FY 2006 until FY 2010. The Title 13, Ch. 18 theft percentage did not begin its descent until FY 2009. To summarize, the ACCH data shows that identity theft-related arrest charges were far less likely than Title 13, Ch. 18 theft-related arrest charges to lead to a conviction charge within the same offense category.



### *Sentencing for Identity Theft-Related Convictions*

Building upon the arrest and subsequent disposition conviction data, this section will highlight the percentage of convictions<sup>5</sup> resulting in various sentencing types by fiscal year of the original arrest date. The ACCH data extract made available by AZDPS provides sentencing information for prison or jail sentences, probation, fines, community service, restitution, suspended sentencing, and other unspecified sentencing.

When looking at identity theft convictions (specifically A.R.S. §13-2008 and A.R.S. §13-2708 convictions) in FY 2001, 52.1 percent of convictions resulted in a sentence to jail or prison (Table 12). After FY 2001, more than two-thirds of convictions for identity theft led to a prison or jail sentence. In FY 2001, prison sentences were applied to 27.1 percent of identity theft convictions. The percentage of convictions leading to a prison sentence reached a high of 61.2 percent in FY 2008 before dropping to 46.2 percent in FY 2010. The percentage of identity theft convictions leading to a jail sentence fluctuated but decreased from 25.0 percent to 22.2 percent over the ten-year period.

Probation is often a sentence that is handed down in conjunction with other sentences, so it is not surprising to see a high percentage of identity theft convictions receive a probation sentence. In FY 2001, nearly 90 percent of individuals convicted of identity theft were sentenced to probation (Table 12). The percentage dropped to 71.6 percent of conviction charges by FY 2010. Fines were connected to 6.3 percent of identity theft convictions in FY 2001 before dropping to a low of 3.8 percent in FY 2004. The percentage of convictions leading to a fine reached highs of 8.3 percent and 9.8 percent in FY 2007 and FY 2010, respectively.

<sup>5</sup> Includes identity theft-related convictions resulting from A.R.S. §13-2708 arrest charges that were excluded in the arrest and disposition sections.

**Table 12. Percentage of Identity Theft Conviction Charges by Sentence Types  
FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Prison Sentence	27.1%	55.3%	42.9%	57.3%	41.9%	48.0%	46.2%	61.2%	54.6%	46.2%
Jail Sentence	25.0%	19.4%	25.4%	17.2%	31.4%	24.9%	26.4%	12.4%	17.7%	22.2%
Probation Sentence	89.6%	69.9%	77.8%	65.0%	78.0%	68.3%	72.6%	67.8%	66.7%	71.6%
Fined	6.3%	4.9%	4.8%	3.8%	4.3%	4.8%	8.3%	4.9%	6.8%	9.8%
Community Service	6.3%	3.9%	2.4%	7.0%	8.4%	7.8%	6.6%	5.9%	1.2%	3.1%
Restitution	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.0%	8.5%	7.6%	4.4%
Suspended Sentence	54.2%	35.9%	47.6%	33.8%	52.5%	46.0%	42.9%	31.3%	39.0%	42.2%
Other Sentence	77.1%	72.8%	77.0%	68.8%	57.1%	42.7%	47.2%	34.9%	24.5%	19.6%

Sentences to community service rose from 6.3 percent in FY 2001 to 8.4 percent in FY 2005 before dropping to 3.1 percent by FY 2010. Restitution was one sentence type that increased noticeably in the last half of the ten-year period. The percentage of conviction charges leading to an order of restitution increased from 0.0 percent in FY 2006 to 4.4 percent in FY 2010. Other unspecified sentences fell significantly from a high of 77.1 percent in FY 2001 to a low of 19.6 percent in FY 2010.

A significant percentage of identity theft convictions resulted in the sentence being suspended. In FY 2001, sentences were suspended for 54.2 percent of convictions, and the percentage decreased to 42.2 percent by FY 2010 (Table 12).

The percentage of aggravated identity theft convictions that led to prison and jail sentences increased to at least three out of four receiving a sentence of jail or prison (Table 13). The percentage of aggravated identity theft convictions leading to prison sentences increased from 57.4 percent in FY 2006 to 68.3 percent in FY 2010. Jail sentences, however, fell from 22.2 percent to 12.7 percent over the same five-year period. Overall, the percentage of aggravated identity theft conviction charges leading to incarceration increased from 79.6 percent in FY 2006 to 81.0 percent in FY 2010.

Probation sentences fluctuated from a high of 67.5 percent in FY 2007 to a low of 48.5 percent in FY 2009 and ended at 61.9 percent in FY 2010 for all aggravated identity theft convictions (Table 13). Alternately, fines dropped from 5.6 percent of all aggravated identity theft convictions in FY 2006 to 0.0 percent in FY 2010, and other unspecified sentences fell from 46.3 percent to 11.1 percent over the same period. Sentences to community service increased over the five-year period although not quite at the rate that restitution sentences did. Aggravated identity theft convictions resulting in community service fluctuated, but increased, from 5.6 percent in FY 2006 to 6.3 percent in FY 2010. The percentage of aggravated identity theft convictions with suspended sentences decreased from 38.9 percent in FY 2006 to 28.6 percent in FY 2010 (Table 13).

<b>Table 13. Percentage of Aggravated Identity Theft Conviction Charges by Sentence Types, FY 2001-2010</b>					
	2006	2007	2008	2009	2010
Prison Sentence	57.4%	53.2%	69.6%	73.1%	68.3%
Jail Sentence	22.2%	24.7%	7.2%	9.7%	12.7%
Probation Sentence	59.3%	67.5%	56.5%	48.5%	61.9%
Fined	5.6%	3.9%	4.3%	5.2%	0.0%
Community Service	5.6%	3.9%	6.5%	2.2%	6.3%
Restitution	0.0%	1.3%	18.1%	11.2%	12.7%
Suspended Sentence	38.9%	35.1%	24.6%	21.6%	28.6%
Other Sentence	46.3%	29.9%	23.9%	20.1%	11.1%

Identity trafficking (A.R.S. §13-2010) convictions were most likely to lead to incarceration of the convicted offender (Table 14). According to the data, at least four out of five convictions resulted in a prison or jail sentence over the five-year period. In FY 2006, 97.1 percent of identity trafficking conviction charges resulted in prison sentences while 2.9 percent of conviction charges led to jail sentences. Prison sentences decreased to 75.8 percent of conviction charges by FY 2010; alternately, jail sentences increased to 7.6 percent by FY 2010. In combination, identity trafficking convictions led to incarceration of the convicted offender 83.4 percent of the time in FY 2010.

<b>Table 14. Percentage of Identity Trafficking Conviction Charges by Sentence Types, FY 2001-2010</b>					
	2006	2007	2008	2009	2010
Prison Sentence	97.1%	62.5%	71.1%	68.7%	75.8%
Jail Sentence	2.9%	18.8%	8.9%	13.4%	7.6%
Probation Sentence	97.1%	62.5%	66.7%	65.7%	62.1%
Fined	0.0%	0.0%	2.2%	4.5%	4.5%
Community Service	0.0%	6.3%	4.4%	4.5%	1.5%
Restitution	0.0%	12.5%	6.7%	10.4%	16.7%
Suspended Sentence	2.9%	31.3%	28.9%	29.9%	21.2%
Other Sentence	2.9%	43.8%	35.6%	13.4%	9.1%

Probation sentences decreased from 97.1 percent of all identity trafficking convictions to 62.5 percent from FY 2006 to FY 2007. After this drop, the percentage of conviction charges leading to probation sentences stayed mostly level through FY 2010 (Table 14). All other sentencing types increased over the five-year period. Fines increased from 0.0 percent in FY 2006 to 4.5 percent in FY 2010 for all identity trafficking convictions. Community service sentences increased from 0.0 percent to 1.5 percent while restitution sentences increased from 0.0 percent to 16.7 percent over the same period. Identity trafficking convictions leading to other unspecified sentences increased from 2.9 percent in FY 2006 to a high of 43.8 percent in FY 2007, before falling to 9.1 percent by FY 2010.

Identity trafficking convictions with at least a portion of the sentence(s) suspended made up 2.9 percent of the total number of identity trafficking convictions in FY 2001 (Table 14). This percentage increased to 21.2 percent by FY 2010.

### *Demographics of Individuals Arrested for Identity Theft-related Offenses in Arizona*

Prior research focuses primarily on the characteristics of the victims of identity theft; however, there are a number of studies that also collect data on the identity theft offenders. Gordon, et al. (2007) analyzed United States Secret Service cases involving identity theft from 2000 to 2006, and the researchers discovered that defendants were likely to be black males between the ages of 25 to 34. Two-thirds of defendants were male, just over half were black, and 42.5 percent of defendants fell within the 25 to 34 age range. Another study by Allison et al. (2005) reported similar statistics with the exception that nearly two-thirds of identity theft offenders were female (Copes and Vieraitis, 2009).

**Table 15. Demographics of Individuals Arrested for Identity Theft in Arizona  
FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<i>Gender</i>										
Male	60.5%	57.1%	64.3%	60.6%	62.5%	62.9%	66.0%	66.3%	67.9%	64.1%
Female	39.5%	42.9%	35.7%	39.4%	37.5%	37.1%	34.0%	33.7%	32.1%	35.9%
<i>Race</i>										
White/Caucasian	89.5%	91.1%	90.7%	90.2%	89.8%	90.8%	90.9%	91.0%	89.5%	87.9%
Black	9.5%	7.3%	7.9%	8.0%	7.7%	7.7%	6.2%	6.5%	8.0%	8.1%
Asian/Pacific Islander	0.7%	0.7%	0.3%	0.6%	0.7%	0.4%	0.7%	0.3%	0.5%	0.7%
American Indian/Alaskan Native	0.3%	0.7%	1.1%	1.1%	1.7%	1.1%	1.5%	1.6%	1.5%	2.4%
Unknown	0.0%	0.2%	0.0%	0.1%	0.0%	0.0%	0.7%	0.5%	0.6%	0.9%
<i>Age at Arrest</i>										
24 and Under	25.3%	28.9%	23.5%	26.1%	24.9%	25.4%	27.9%	23.7%	23.0%	21.0%
25-34	43.2%	41.1%	44.2%	42.1%	39.2%	42.2%	41.3%	42.7%	42.2%	40.7%
35-44	24.0%	23.2%	24.6%	24.4%	26.8%	23.5%	22.5%	24.6%	23.9%	28.1%
45-59	6.8%	6.4%	7.3%	7.0%	8.5%	8.3%	7.7%	8.4%	9.8%	9.4%
60 and Older	0.7%	0.4%	0.3%	0.3%	0.7%	0.7%	0.6%	0.7%	1.2%	0.8%
<b>Total Individuals Arrested</b>	<b>296</b>	<b>564</b>	<b>633</b>	<b>724</b>	<b>945</b>	<b>1,295</b>	<b>1,425</b>	<b>1,482</b>	<b>1,376</b>	<b>1,134</b>



There are similarities and contrasts between the demographic information available in prior research on individuals arrested for identity theft and the same information available for identity theft arrestees in the ACCH. Females arrested for identity theft offenses in the ACCH ranged between 32.1 percent and 42.9 percent of the total number of identity theft arrestees from FY 2001 to FY 2010 (Table 15). White/Caucasian individuals constituted the vast majority of identity theft arrestees across all fiscal years of the study. The percentage of arrestees that were white/Caucasian ranged from 87.9 percent to 91.1 percent. The percentage of arrestees that were black ranged from 6.2 percent to 9.5 percent, followed by Asian/Pacific Islander, American Indian/Alaskan Native and unknown each hovering around one percent of arrestees over the ten-year period.

The largest percentage of identity theft arrestees across all of the age categories was in the 25 to 34 age range at 40.7 percent in FY 2010. From highest to lowest percentage, the 25 to 34 years old category is followed by the 35 to 44 age range (28.1 percent), the 24 and younger age range (21.0 percent), the 45 to 59 age range (9.4 percent), and the 60 and older age range (less than one percent).

When looking at individuals arrested for aggravated identity theft, the demographic characteristics are very similar to the data on individuals arrested for identity theft. The percentage of aggravated identity theft arrestees that were male increased from 57.2 percent in FY 2006 to 69.2 percent in FY 2010 (Table 16). Again, the overwhelming majority of arrestees are white/Caucasian, ranging from 92.3 percent to 94.5 percent. Black aggravated identity theft arrestees constituted 4.0 percent to 6.6 percent of all arrestees. The last three categories including Asian/Pacific Islander, American Indian/Alaskan Native, and Unknown arrestees each fluctuated around one percent from FY 2006 to FY 2010.

<b>Table 16. Demographics of Individuals Arrested for Aggravated Identity Theft in Arizona, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
<i>Gender</i>					
Male	57.2%	57.4%	60.4%	62.9%	69.2%
Female	42.8%	42.6%	39.6%	37.1%	30.8%
<i>Race</i>					
White/Caucasian	94.5%	92.3%	93.0%	92.4%	92.4%
Black	4.0%	6.3%	5.5%	6.6%	5.1%
Asian/Pacific Islander	0.5%	1.1%	0.8%	0.2%	0.6%
American Indian/Alaskan Native	0.5%	0.4%	0.8%	0.5%	1.6%
Unknown	0.5%	0.0%	0.0%	0.2%	0.3%
<i>Age at Arrest</i>					
24 and Under	26.9%	18.0%	18.0%	16.8%	14.9%
25-34	43.3%	44.0%	44.0%	43.3%	46.7%
35-44	25.9%	30.6%	26.8%	27.9%	27.9%
45-59	3.5%	7.4%	10.9%	11.1%	9.8%
60 and Older	0.5%	0.0%	0.3%	0.9%	0.6%
<b>Total Individuals Arrested</b>	<b>201</b>	<b>284</b>	<b>384</b>	<b>423</b>	<b>315</b>



Looking at the age at arrest of all aggravated identity theft arrestees, the largest percentage of arrestees were in the 25 to 34 age range, as was discovered for identity theft arrestees (Table 16). During the time period examined, between 43.3 percent and 46.7 percent of arrestees were between the ages of 25 and 34 years old. The percentage of arrestees 24 and under decreased from 26.9 percent of all arrestees in FY 2006 to 14.9 percent in FY 2010. Both the 35 to 44 and 45 to 59 age ranges increased to 27.9 percent and 9.8 percent, respectively, in FY 2010. The percentage of arrestees 60 years of age and older fluctuated, but increased slightly, over the ten-year period.

Although the demographic results are very similar, in comparison, identity trafficking arrestees have some slight variations from the demographic characteristics of identity theft and aggravated identity theft arrestees. The percentage of male identity trafficking arrestees was consistently higher than the percentage of male identity theft and aggravated identity theft arrestees (Tables 15, 16 and 17). Similar to the other identity theft arrestees, at least 80 percent of the total number of identity trafficking arrestees over all five years was white/Caucasian. Interestingly, the percentage of identity theft arrestees that were black increased dramatically from 1.9 percent in FY 2006 to a high of 17.7 percent in FY 2010. No other racial category experienced such an increase; in fact, the Asian/Pacific Islander, American Indian/Alaskan Native and unknown racial categories each decreased in percentage of the total number of identity trafficking arrestees from FY 2006 to FY 2010.

<b>Table 17. Demographics of Individuals Arrested for Identity Trafficking in Arizona, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
<i>Gender</i>					
Male	68.5%	67.9%	68.0%	73.2%	71.7%
Female	31.5%	32.1%	32.0%	26.8%	28.3%
<i>Race</i>					
White/Caucasian	90.7%	94.9%	85.4%	92.8%	80.5%
Black	1.9%	3.8%	13.6%	7.2%	17.7%
Asian/Pacific Islander	1.9%	1.3%	0.0%	0.0%	0.9%
American Indian/Alaskan Native	3.7%	0.0%	1.0%	0.0%	0.9%
Unknown	1.9%	0.0%	0.0%	0.0%	0.0%
<i>Age at Arrest</i>					
24 and Under	33.3%	23.1%	21.4%	16.5%	12.4%
25-34	35.2%	29.5%	35.9%	38.1%	34.5%
35-44	22.2%	39.7%	24.3%	23.7%	31.9%
45-59	9.3%	6.4%	17.5%	21.6%	21.2%
60 and Older	0.0%	1.3%	1.0%	0.0%	0.0%
<b>Total Individuals Arrested</b>	<b>54</b>	<b>78</b>	<b>103</b>	<b>97</b>	<b>113</b>

A smaller percentage of individuals arrested for identity trafficking are between the ages of 25 to 34 when compared to identity theft and aggravated identity theft arrestees. A higher percentage of arrestees were 24 years of age or younger (33.3 percent) in FY 2006, and as the percentage of these young arrestees decreased to 12.4 percent by FY 2010, the percentage of

identity trafficking arrestees between 45 to 59 increased from 9.3 percent to 21.2 percent over the same period (Table 17). The increase in the percentage of 45 to 59 year old arrestees lowered the other percentages, including the 25 to 34 age range. Although identity trafficking arrestees have a higher likelihood of being over the age of 45 compared to the other identity theft offense types, very few, if any, identity trafficking arrestees are over 60 years of age.

According to the arrestee demographic data, an individual arrested for an identity theft-related offense is likely to be a white male between the ages of 25 and 34.

#### *Demographics of Individuals Convicted for Identity Theft-related Offenses*

The following tables highlight the demographic information for defendants convicted of at least one identity theft charge. As noted in earlier sections of the report, a significant percentage of dispositions are missing from the ACCH repository. The percentages of missing dispositions per identity theft-related arrest charge are available in the tables beginning on page seven. The demographic characteristics of individuals described in the following tables were arrested on any offense within the State of Arizona and were convicted on an identity theft-related offense.

**Table 18. Demographics of Individuals Arrested for Any Offense and Later Convicted for Identity Theft in Arizona, FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<i>Gender</i>										
Male	52.2%	59.0%	63.0%	65.7%	59.4%	60.5%	56.7%	65.8%	59.2%	64.6%
Female	47.8%	41.0%	37.0%	34.3%	40.6%	39.5%	43.3%	34.2%	40.8%	35.4%
<i>Race</i>										
White/Caucasian	91.3%	94.0%	93.3%	88.1%	85.4%	92.0%	90.4%	92.6%	87.1%	91.5%
Black	8.7%	3.0%	5.0%	9.0%	11.1%	6.8%	6.8%	5.3%	10.3%	7.5%
Asian/Pacific Islander	0.0%	1.0%	0.8%	0.7%	1.0%	0.3%	0.7%	0.4%	0.4%	0.0%
American Indian/Alaskan Native	0.0%	1.0%	0.8%	2.2%	2.4%	0.9%	1.7%	1.8%	2.1%	0.5%
Unknown	0.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	0.5%
<i>Age at Arrest</i>										
24 and Under	21.7%	22.0%	18.5%	20.9%	18.8%	20.1%	24.2%	21.1%	18.0%	16.5%
25-34	37.0%	44.0%	52.1%	46.3%	41.7%	47.2%	38.6%	38.7%	44.6%	40.1%
35-44	32.6%	25.0%	21.0%	23.9%	31.6%	24.8%	25.9%	29.2%	25.8%	32.5%
45-59	6.5%	8.0%	8.4%	9.0%	7.3%	7.1%	11.3%	10.9%	10.3%	9.9%
60 and Older	2.2%	1.0%	0.0%	0.0%	0.7%	0.9%	0.0%	0.0%	1.3%	0.9%
<b>Total Individuals Convicted</b>	<b>46</b>	<b>100</b>	<b>119</b>	<b>134</b>	<b>288</b>	<b>339</b>	<b>293</b>	<b>284</b>	<b>233</b>	<b>212</b>

Individuals convicted for identity theft in Arizona are most likely to be white/Caucasian males between the ages of 25 and 34 (Table 18). Males ranged between 52.2 percent and 65.8 percent of all individuals convicted of identity theft resulting from arrests that took place between FY 2001 and FY 2010. Females represented a relatively high percentage of those convicted of identity theft during FY 2001 (47.8 percent), but the percentage fell to 35.4 by FY 2010. Similar to the data on individuals arrested for identity theft, a significantly large percentage of individuals convicted of identity theft were white/Caucasian. Of those individuals

initially arrested in FY 2010 and later convicted of identity theft, 91.5 percent were white/Caucasian, 7.5 percent were black, and 1.0 percent were American Indian/Alaskan Native or of an unknown race.

Throughout the ten-year period, the largest percentage of individuals convicted of an identity theft-related offense was between the ages of 25 and 34 (Table 18). The second highest percentage was individuals between 35 and 44 years old. The age groups with the lowest percentages of individuals convicted of identity theft were the 45 to 59 year olds and the individuals 60 and older.

Convicted aggravated identity theft offenders are no different from aggravated identity theft arrestees. The majority (between 54.0 percent and 61.3 percent) was male, and the percentage increased from FY 2006 to FY 2010 (Table 19). More than 90 percent were white/Caucasian throughout the five-year period. In FY 2010, 95.2 percent were white/Caucasian, 3.2 percent were black, and 1.6 percent were Asian/Pacific Islander.

<b>Table 19. Demographics of Individuals Arrested for Any Offense and Later Convicted for Aggravated Identity Theft in Arizona, FY 2006-2010</b>					
	2006	2007	2008	2009	2010
<i>Gender</i>					
Male	54.0%	57.9%	56.7%	59.3%	61.3%
Female	46.0%	42.1%	43.3%	40.7%	38.7%
<i>Race</i>					
White/Caucasian	98.0%	90.8%	95.5%	91.9%	95.2%
Black	0.0%	6.6%	3.0%	6.5%	3.2%
Asian/Pacific Islander	0.0%	1.3%	0.7%	0.8%	1.6%
American Indian/Alaskan Native	2.0%	1.3%	0.7%	0.8%	0.0%
Unknown	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Age at Arrest</i>					
24 and Under	20.0%	19.7%	13.4%	13.8%	16.1%
25-34	48.0%	52.6%	56.0%	40.7%	48.4%
35-44	28.0%	26.3%	23.9%	35.0%	30.6%
45-59	4.0%	1.3%	6.7%	9.8%	4.8%
60 and Older	0.0%	0.0%	0.0%	0.8%	0.0%
<b>Total Individuals Convicted</b>	<b>50</b>	<b>76</b>	<b>134</b>	<b>123</b>	<b>62</b>

Throughout the time period examined approximately half of individuals convicted for aggravated identity theft were between the ages of 25 and 34 (Table 19). As was the case for aggravated identity theft arrestees, the second largest age group of individuals convicted of aggravated identity theft was the 35 to 44 year old age group. In FY 2010, approximately 16 percent of aggravated identity theft convicted offenders were 24 years of age or younger and 4.8 percent were between 45 and 59 years of age.

Offenders convicted of identity trafficking were also mostly male; 72.7 percent of offenders convicted in FY 2010 were male (Table 20). The percentage of offenders convicted of identity

trafficking that were male reached a high of 78.6 percent in FY 2008 before steadily falling to the 72.7 percent reported in FY 2010. A large percentage of individuals convicted for identity trafficking were white/Caucasian, although the percentage fluctuated from FY 2006 to FY 2010. In FY 2006, 83.3 percent of convicted offenders were white/Caucasian, the percentage increased to a high of 93.8 percent in FY 2007 and the percentage then fell to a five-year low of 76.4 percent in FY 2010. Most notable is the large increase in the percentage of black offenders convicted for identity trafficking in FY 2010, compared to identity theft and aggravated identity theft. The same was discovered for identity trafficking arrestees (Table 17).

**Table 20. Demographics of Individuals Arrested for Any Offense and Later Convicted for Identity Trafficking in Arizona, FY 2006-2010**

	2006	2007	2008	2009	2010
<i>Gender</i>					
Male	66.7%	68.8%	78.6%	75.0%	72.7%
Female	33.3%	31.3%	21.4%	25.0%	27.3%
<i>Race</i>					
White/Caucasian	83.3%	93.8%	85.7%	92.9%	76.4%
Black	16.7%	6.3%	14.3%	7.1%	21.8%
Asian/Pacific Islander	0.0%	0.0%	0.0%	0.0%	1.8%
American Indian/Alaskan Native	0.0%	0.0%	0.0%	0.0%	0.0%
Unknown	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Age at Arrest</i>					
24 and Under	16.7%	12.5%	19.0%	16.1%	9.1%
25-34	50.0%	25.0%	40.5%	33.9%	30.9%
35-44	16.7%	56.3%	26.2%	19.6%	34.5%
45-59	16.7%	6.3%	14.3%	30.4%	25.5%
60 and Older	0.0%	0.0%	0.0%	0.0%	0.0%
<b>Total Individuals Convicted</b>	<b>6</b>	<b>16</b>	<b>42</b>	<b>56</b>	<b>55</b>

In FY 2010, the largest percentage (34.5 percent) of individuals convicted of identity trafficking were within the 35 to 44 age category (Table 20). Most convicted identity trafficking offenders in FY 2007 were in the 35 to 44 age group as well. In contrast, in FY 2006, FY 2008, and FY 2009 the age group with the highest percentage of individuals convicted of identity trafficking was those 25 to 34. In FY 2009, the age group with the second highest percentage of individuals convicted of identity trafficking was the 45 to 59 age category. The 24 years of age and younger category remained rather low, dropping to 9.1 percent by FY 2010. Although individuals convicted for identity trafficking were older than individuals convicted for identity theft and aggravated identity theft, very few, if any, were at 60 years of age or older.

Despite some of the variation in age group percentages for individuals convicted of identity trafficking, the majority of offenders convicted for identity theft-related crimes are white/Caucasian males between the ages of 25 and 34. The same conclusion was made for individuals arrested for identity theft-related crimes. As noted earlier, missing dispositions, may be affecting the percentage results reported in this section.

### *Identity Theft-Related Arrests and Convictions and Other Fraud Offense Types*

The Federal Trade Commission (2011) reported that the four highest identity theft complaint types that were reported in Arizona during calendar year 2010 included employment-related fraud (29 percent), government documents or benefits fraud (17 percent), phone or utilities fraud (11 percent), and credit card fraud (11 percent). Although these percentages are based on complaints, not arrests, made through various state and federal resources and submitted to the Consumer Sentinel Network database, the report provides a framework to analyze the identity theft-related arrests available in the ACCH in greater detail. The following data analyzes identity theft-related arrest and conviction data that includes charges for employment-related fraud, government documents and benefits fraud, utilities fraud, and credit card fraud.

Unfortunately, the Arizona Revised Statutes are not as clear-cut when attempting to identify charges for various fraud types. Title 13 Chapter 21 exists specifically for credit card fraud, and both A.R.S. §13-3707 and A.R.S. §13-3724 are related to phone and utilities fraud. Extensive investigation took place for each additional charge present in the identity theft-related arrests in order to identify employment-related and government documents and benefits fraud charges. In the case of employment-related fraud, both A.R.S. §13-2008.B and A.R.S. §13-2009.A.3 were used, but other statutes could not be included since identity theft for the purposes of employment was just one element of the entire statute language. A comprehensive outline of the statutes per fraud category is available in the Appendix.

According to the ACCH data, 13.6 percent of identity theft-related arrest events had at least one additional charge for credit card fraud in FY 2010, a decrease from 15.1 percent in FY 2006 (Table 21). In FY 2010, credit card fraud was included in more arrests than employment-related fraud (5.9 percent), government documents and benefits fraud (1.7 percent), and utilities fraud (0.1 percent). Similar to credit card fraud, government documents and benefits fraud and utilities fraud both decreased in percentage from FY 2006 to FY 2010. Employment-related fraud increased from 3.6 percent in FY 2009 to 5.9 percent in FY 2010. Statutes identifying employment-related fraud, as they specifically relate to identity theft, did not go into effect until May 1, 2008.

**Table 21. Percentage of Identity Theft-Related Arrest Events Involving Other Fraud Offense Types in the ACCH by County and Fiscal Year, FY 2006\* and FY 2010**

	<i>Employment-Related Fraud**</i>		<i>Government Documents/ Benefits Fraud</i>		<i>Utilities Fraud</i>		<i>Credit Card Fraud</i>	
	2009*	2010	2006	2010	2006	2010	2006	2010
Apache County	0.0%	0.0%	0.0%	25.0%	0.0%	0.0%	0.0%	0.0%
Cochise County	6.3%	0.0%	0.0%	0.0%	0.0%	0.0%	40.0%	27.8%
Coconino County	0.0%	0.0%	0.0%	14.3%	0.0%	0.0%	16.0%	19.0%
Gila County	0.0%	0.0%	0.0%	6.7%	0.0%	0.0%	16.7%	20.0%
Graham County	0.0%	N/A	50.0%	N/A	0.0%	N/A	0.0%	N/A
Greenlee County	0.0%	0.0%	N/A	0.0%	N/A	0.0%	N/A	0.0%
La Paz County	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	20.0%	20.0%
Maricopa County	5.0%	6.9%	4.3%	1.1%	0.2%	0.1%	14.2%	12.5%
Mohave County	0.0%	1.9%	1.9%	3.8%	0.0%	0.0%	18.9%	17.3%
Navajo County	0.0%	0.0%	7.1%	0.0%	0.0%	0.0%	21.4%	9.1%
Pima County	0.0%	2.2%	0.0%	2.2%	0.9%	0.0%	23.4%	17.2%
Pinal County	1.5%	1.5%	0.0%	0.0%	0.0%	0.0%	13.0%	21.5%
Santa Cruz County	0.0%	25.0%	0.0%	0.0%	0.0%	0.0%	28.6%	0.0%
Yavapai County	5.3%	4.8%	4.1%	4.8%	0.0%	0.0%	16.5%	19.4%
Yuma County	2.0%	2.9%	1.6%	2.9%	0.0%	0.0%	12.7%	17.1%
<b>State of Arizona</b>	<b>3.6%</b>	<b>5.9%</b>	<b>3.8%</b>	<b>1.7%</b>	<b>0.2%</b>	<b>0.1%</b>	<b>15.1%</b>	<b>13.6%</b>

\* Identity theft statute offenses relating to employment were not in effect until May 1, 2008. Therefore, FY 2009 data for employment-related fraud is substituted in the table.

\*\* Both A.R.S. §13-2008.B and A.R.S. §13-2009.A.3 are used to identify employment-related cases. Additional statutes are used for charging employment-related identity theft, but these employment-specific charges cannot be differentiated from other identity theft charges within these statutes.

Similar to arrest events, credit card fraud convictions (2.8 percent) were most often involved with identity theft-related conviction events<sup>6</sup> compared to employment-related fraud (0.8 percent), government documents and benefits fraud and utilities fraud (both 0.0 percent) (Table 22). With the exception of utilities fraud convictions, each fraud conviction type decreased in the percentage of convictions tied to convictions for identity theft-related offenses

<sup>6</sup> Convicted of identity theft at a single court location on the same day.

from FY 2006 (FY 2009 for employment related fraud) to FY 2010. A number of agencies did not report an identity theft-related conviction charge (N/A) for the years reported in Table 22.

**Table 22. Percentage of Identity Theft-related Conviction Events Incorporating an Additional Fraud Conviction Type by County and Fiscal Year of Conviction, FY 2006\* and FY 2010**

	<i>Employment-Related Fraud**</i>		<i>Government Documents/Benefits Fraud</i>		<i>Utilities Fraud</i>		<i>Credit Card Fraud</i>	
	2009*	2010	2006	2010	2006	2010	2006	2010
Apache County	0.0%	0.0%	N/A	0.0%	N/A	0.0%	N/A	0.0%
Cochise County	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	50.0%	0.0%
Coconino County	0.0%	N/A	0.0%	N/A	0.0%	N/A	0.0%	N/A
Gila County	0.0%	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Graham County	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Greenlee County	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
La Paz County	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Maricopa County	0.9%	1.0%	0.3%	0.0%	0.0%	0.0%	1.9%	1.9%
Mohave County	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	25.0%
Navajo County	0.0%	0.0%	N/A	0.0%	N/A	0.0%	N/A	0.0%
Pima County	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	10.5%
Pinal County	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Santa Cruz County	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Yavapai County	7.3%	0.0%	3.7%	0.0%	0.0%	0.0%	11.1%	8.0%
Yuma County	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	12.5%	0.0%
<b>State of Arizona</b>	<b>1.3%</b>	<b>0.8%</b>	<b>0.5%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>2.9%</b>	<b>2.8%</b>

\* Identity theft statute offenses relating to employment were not in effect until May 1, 2008. Therefore, FY 2009 data for employment-related fraud is substituted in the table.

\*\* Both A.R.S. §13-2008.B and A.R.S. §13-2009.A.3 are used to identify employment-related cases. Additional statutes are used for charging employment-related identity theft, but these employment-specific charges cannot be differentiated from other identity theft charges within these statutes.

### *Arrest and Subsequent Disposition Data for Excluded A.R.S. §13-2708 Arrest Charges*

A large number of arrest charges in the ACCH were recorded as A.R.S. §13-2708 offenses even after the repealing of the A.R.S. §13-2708 identity theft statute on July 18, 2000. Since it was unclear to researchers what type of offense took place, these charges were excluded in the

previous research. For these arrest charges to be excluded from the previous data, the offense also had to take place after July 18, 2000. The following tables provide arrest and subsequent disposition data for all arrest charges for A.R.S. §13-2708 that were excluded from Tables 1 through 11 of the report. Some of the excluded arrest charges led to valid identity theft convictions, and in these cases, the charges leading to A.R.S. §13-2008 conviction charges were included in Tables 12, 18 and 22.

**Table 23. Excluded A.R.S. §13-2708 Arrest and Arrest Charge Data\* in ACCH  
FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Arrests including A.R.S. §13-2708 Charges	204	69	30	8	6	3	3	5	2	1
A.R.S. §13-2708 Arrest Charges	227	82	36	9	6	3	3	5	2	1
A.R.S. §13-2708 Arrest Charges With No Final Disposition Data in the ACCH	75	29	6	3	2	0	2	0	0	1
Percentage of A.R.S. §13-2708 Arrest Charges With No Final Disposition Data in the ACCH	33.0%	35.4%	16.7%	33.3%	33.3%	0.0%	66.7%	0.0%	0.0%	100.0%

Of the 374 excluded A.R.S. §13-2708 arrest charges, more than 60 percent of the charges took place during FY 2001 (Table 23). After FY 2001, there was a significant drop in arrests charges for A.R.S. §13-2708 and the decade ended with only one arrest for A.R.S. §13-2708 in FY 2010. In total, 331 unique arrests accounted for the 374 arrest charges for A.R.S. §13-2708 excluded from previous analysis. The percentage of charges missing subsequent case disposition information ranged from zero percent to 100.0 percent over the ten-year period. However, the vast majority of charges fell between FY 2001 and FY 2005, and the percentage of arrest charges missing subsequent case disposition information during this five-year period ranged from 16.7 percent in FY 2003 to 35.4 percent in FY 2002.

**Table 24. Excluded A.R.S. §13-2708 Arrest Charges Leading to A.R.S. §13-2708 and A.R.S. §13-2008 Disposition Charges in the ACCH by Disposition Result, FY 2001-2010**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total A.R.S. §13-2708 Arrest Charges	227	82	36	9	6	3	3	5	2	1
Dismissed by the Court	49	29	12	2	1	1	0	3	1	0
Not Filed for Prosecution	64	6	4	1	0	0	0	1	0	0
Not Referred to Prosecutors	3	1	1	0	0	0	0	0	0	0
Plea to Other Charges	1	0	0	0	0	0	0	0	0	0
Conviction	28	12	12	3	2	2	0	1	1	0



The subsequent case disposition information for all excluded A.R.S. §13-2708 arrest charges shows that 64.4 percent had a disposition entered for A.R.S. §13-2708 or A.R.S. §13-2008 (Table 24). More than 26 percent of all arrest charges led to a dismissed A.R.S. §13-2708 or A.R.S. §13-2008 charge, 21.7 percent led to charges not filed/referred, and 16.3 percent resulted in an A.R.S. §13-2708 or A.R.S. §13-2008 conviction charge. The remaining arrest charges resulted in subsequent case disposition information for A.R.S. §13-1802, A.R.S. §13-2002, A.R.S. §13-2004, A.R.S. §13-2006, A.R.S. §13-2317, and A.R.S. §13-2907 disposition charges.

## **Discussion of the Findings**

The data presented in this report has been compiled exclusively using the arrest and subsequent disposition information available in the Arizona Computerized Criminal History (ACCH) repository. According to A.R.S. §41-1750, all statewide felony, driving under the influence, sexual, and domestic violence-related charges shall be entered into the ACCH at the time of arrest. Subsequent disposition data is typically submitted by the prosecutors and/or the courts. All identity theft-related statutes, including A.R.S. §13-2008, A.R.S. §13-2009, and A.R.S. §13-2010, are felony offenses. Thus, all criminal justice agencies are mandated to submit law enforcement and subsequent case disposition information for all identity theft-related offenses.

From FY 2001 to FY 2010, arrests involving identity theft charges increased 293.8 percent while arrest charges increased 455.6 percent. From FY 2006 to FY 2010, arrests involving aggravated identity theft charges increased 54.9 percent, and arrest charges increased 113.8 percent. Over this same five-year period, arrests involving identity trafficking charges rose by 129.6 percent while identity trafficking charges increased by 45.0 percent. Overall, a total of 2,735 arrest charges resulted from arrests made for identity theft-related offenses in FY 2010.

While identity theft-related arrest rates were increasing from FY 2001 to FY 2008, the rate for arrests involving Arizona Revised Statute Title 13, Ch. 18 theft offenses was fluctuating, but dropping, over the same period. The identity theft-related arrest rate increased from 5.8 arrests per 100,000 residents in FY 2001 to 32.3 in FY 2008. The Title 13, Ch. 18 theft-related arrest rate fell from 459.0 to 388.5 over the same period, a decrease of more than 15 percent. From FY 2008 to FY 2010, both the identity theft-related arrest rate and the Title 13, Ch. 18 theft-related arrest rate decreased noticeably. The identity theft-related arrest rate fell 24.5 percent to 24.4 arrests per 100,000 residents while the Title 13, Ch. 18 theft-related arrest rate decreased 12.6 percent to 339.4 over the three-year period.

Both identity theft-related charges and Title 13, Ch. 18 theft-related charges vary in the percentage leading to a conviction. The percentage of identity theft-related charges leading to a conviction on an identity theft-related charge ranged from 11.8 percent to 20.6 percent from FY 2001 to FY 2010. On the other hand, Title 13, Ch. 18 theft arrest charges led to a higher percentage of theft convictions, varying between 34.3 percent and 39.6 percent of the total Title 13, Ch. 18 theft arrest charges during the same ten years.

Sentencing outcomes for convictions of the three identity theft offenses vary over the ten-year period. More than 50 percent of identity theft conviction charges resulted in a prison or jail sentence. More than two-thirds of conviction charges were given probation, and a large

percentage (between 31.3 and 54.2 percent) had some form of the sentence suspended. Meanwhile, more than 75 percent of aggravated identity theft conviction charges resulted in prison or jail sentences; probation was assigned in 48.5 to 67.5 percent of conviction charges; and suspended sentences were less of a factor than for identity theft conviction charges from FY 2006 to FY 2010 (between 21.6 and 38.9 percent). Restitution played a larger role in aggravated identity theft conviction charge sentencing than for identity theft.

The percentage of identity trafficking convictions resulting in a prison or jail sentence was at least 80 percent from FY 2006 to FY 2010. Probation sentences ranged from 62.1 percent of convicted identity trafficking offenders in FY 2010 to 66.7 percent in FY 2008, except for FY 2006 when 97.1 percent of convicted identity trafficking offenders received a probation sentence. Percentage-wise, suspended sentences were lower and restitution was higher, with the exception of FY 2008, for identity trafficking conviction charge sentences compared to identity theft conviction charge sentences.

County-level identity theft-related arrest data shows that central, eastern, and north-eastern Arizona counties (Gila, Maricopa, Mohave and Yavapai Counties) experienced identity theft arrest rates above the state rate of 24.4 arrests per 100,000 in FY 2010. La Paz County's arrest rate matched the state rate for identity theft-related arrests in FY 2010. All other counties' identity theft arrest rates were well below the state rate. Two-thirds of arrests involving identity theft in FY 2010 took place within Maricopa County, followed by Pima County (6.0 percent), Pinal County (4.2 percent), and Yavapai County (4.0 percent).

Only a few counties in Arizona had identity theft conviction rates at or above the state percentage of identity theft-related arrest charges leading to identity theft-related conviction in FY 2010. Both Yavapai and Yuma Counties were able to obtain convictions on more than 20 percent of the total number of identity theft-related arrest charges in FY 2010. Cochise, Maricopa, and Pima Counties also had percentages of identity theft arrests leading to a conviction that were higher than the 11.8 percent state conviction rate. Maricopa County handled 76.4 percent of identity theft-related convictions resulting from identity theft-related arrest charges, followed by Yavapai County (6.2 percent), Pima County (5.3 percent), and Yuma County (3.1 percent).

In an effort to identify the specific type of identity theft, the four most prevalent identity theft complaints reported throughout Arizona that were identified in the 2010 Consumer Sentinel Network report (Federal Trade Commission, 2011) were analyzed in conjunction with the identity theft charge. More than 13 percent of identity theft-related arrests included a charge for credit card fraud in FY 2010. Employment-related fraud followed at 5.9 percent in FY 2010, which is a conservative percentage since some employment-related charges could not be differentiated from other types of identity theft charges. Government documents and benefits fraud charges were included in 1.7 percent of identity theft-related arrests and 0.1 percent included both an identity theft-related offense and a utilities fraud offense.

The same analysis was conducted for identity theft-related convictions. Only 2.8 percent of identity theft-related convictions included a separate conviction charge for credit card fraud (when both convictions were made on a single day at a specific court). Less than one percent of convictions included a conviction for employment-related fraud. Due to the nature of court

cases, it is reasonable to assume in these instances that the identity theft-related conviction offense was in some way linked to the other fraud conviction offense.

From FY 2001 to FY 2010, arrested and convicted identity theft offenders were most likely to be white males between the ages of 25 and 34. The only exception across years and offense statutes was for convicted identity traffickers who were more likely to be between the ages of 35 to 44 in FY 2007 and FY 2010.

Whenever using the ACCH repository for analysis, data quality is a primary concern. Numerous identity theft-related arrest charges that occurred from FY2001 to FY 2010 were missing subsequent disposition information in the ACCH as of January 2011. For identity theft-related offenses, 34.5 percent of arrest charges were missing disposition data in FY 2009, and the percentage rises to 57.1 percent by FY 2010. In the data used for this report, each charge was given the maximum timeframe required for completion, as determined by the Arizona Supreme Court Rule 8.2.a.(2).

## **Conclusion**

Identity theft has emerged as one of the fastest growing crimes in Arizona. The 2010 Consumer Sentinel Network report (Federal Trade Commission, 2011) has positioned Arizona as the second highest state for identity theft complaints per 100,000 residents, only eclipsed by the state of Florida. Since the Federal Trade Commission began reporting identity theft complaints in FY 2005, the total number of complaints fluctuated and reached a high of 9,683 in calendar year (CY) 2008 before dropping to 6,549 by CY 2010. The data available in the ACCH also shows that the rate of arrests involving at least one charge for an identity theft-related offense (i.e. identity theft, aggravated identity theft, and identity trafficking) increased from FY 2001 to FY 2008 before it began to drop in FY 2009 and FY 2010. Overall, while the rate of arrests involving Arizona Revised Statute Title 13, Ch. 18 theft offenses fell 26 percent from FY 2001 to FY 2010, the identity theft-related arrest rate increased by more than 320 percent over the same period. Further research is recommended to investigate if the increase in the identity theft-related arrest rate through FY 2008 deterred identity thieves from offending in FY 2009 and FY 2010, hence the decreasing arrest rates during those fiscal years.

Analysis of conviction charges shows that identity theft-related arrest charges were less likely to lead to an identity theft-related conviction than Title 13, Ch. 18 theft-related arrest charges leading to a theft-related conviction. Between 11.8 and 20.6 percent of identity theft-related arrest charges resulted in identity theft-related convictions from FY 2001 to FY 2010. In contrast, 34.3 percent to 39.6 percent of Title 13, Ch. 18 theft arrests led to a theft conviction over the same period.

According to the FY 2008 sentencing data, 64.5 percent of arrest charges leading to identity theft-related convictions resulted in a prison sentence and 11.0 percent resulted in a restitution order, both the highest respective percentages over the ten-year period. Additionally, in the same year suspended sentences were at a ten-year low of 29.2 percent for all identity theft-related convictions. Stronger sanctioning of convicted offenders in combination with slightly higher percentages of identity theft-related arrest charges leading to identity theft-related convictions from FY 2005 to FY 2009 are possibly contributing to the decrease in the identity theft-related arrest rate after FY 2008. Again, this analysis of the processing of identity theft

arrests in Arizona is simply meant to be exploratory, and more substantial analysis by way of surveying the victims and/or the offenders of identity theft would be helpful in better understanding the trends in identity theft in Arizona. In fact, the Arizona Statistical Analysis Center will be supporting a statewide victimization survey using funds provided by the Bureau of Justice Statistics, and identity theft victimization items will be included in the survey.

The ACCH repository is a comprehensive statewide database established to collect arrest and subsequent case disposition information for all felony, domestic violence-related, driving under the influence, and sexual offenses. By statute, this excludes a large number of misdemeanor offenses; however, many criminal justice agencies are submitting misdemeanor offense information to the ACCH as well. Despite the extensive utility of the ACCH data, there are some clear limitations in the analysis of the data. For instance, offender data is limited to the most basic demographic information, including date of birth, gender, and race. Such variables as level of education, income, occupation, and home address among other variables would help researchers more closely examine the motives and target selection of identity thieves. Furthermore, the sentencing information does not include detail regarding the length of the prison or jail sentence. The suspended sentence variable also fails to identify details, specifically the type of sentence that was suspended. As a result, researchers were unable to provide a meaningful assessment of recidivism rates among convicted offenders of identity theft-related offenses.

Finally, the ACCH data extract has limitations with respect to the timeliness and completeness of the arrest and subsequent case disposition information. Presently, it is difficult to tell the number of identity theft arrest charges, if any, originating from a police citation instead of a formal booking of the arrestee. Research has shown that arrests leading to citations in lieu of booking are less likely to appear in the ACCH when compared to booked arrests (Bileski, 2007). Also, a significant percentage of subsequent case dispositions are missing in the ACCH repository. From FY 2001 to FY 2009, identity theft-related arrest charges were missing subsequent case disposition information between 26.2 and 38.3 percent of the time. The percentage of FY 2010 identity theft-related arrest charges that were missing disposition information was particularly high at 57.1 percent due to the limited time allowed for final disposition completion. These caveats to the data must be taken into consideration when assessing the ACCH repository data available in this report.

## References

- Allison, Stuart F.H., Amie M. Schuck and Kim Michelle Lersch. 2005. "Exploring the Crime of Identity Theft: Prevalence, Clearance Rates, and Victim/Offender Characteristics." *Journal of Criminal Justice* 33: 19-29.
- Bileski, Matthew. 2011. *Timeliness and Completeness of Criminal History Records in Arizona*. Arizona Criminal Justice Commission at [http://www.azcjc.gov/ACJC.Web/Pubs/Home/Timeliness and Completeness of Criminal History Records in Arizona.pdf](http://www.azcjc.gov/ACJC.Web/Pubs/Home/Timeliness_and_Completeness_of_Criminal_History_Records_in_Arizona.pdf) (January 2, 2012).
- Bileski, Matthew. 2010. *State Criminal History Records Improvement: Arizona Felony Case Processing*. Arizona Criminal Justice Commission at [http://www.azcjc.gov/ACJC.Web/Pubs/Home/2010 Felony Processing Report.pdf](http://www.azcjc.gov/ACJC.Web/Pubs/Home/2010_Felony_Processing_Report.pdf) (January 2, 2012).

- Bileski, Matthew. 2007. *Analysis of A.R.S. §41-1750*. Arizona Criminal Justice Commission at [http://www.azcjc.gov/ACJC.Web/Pubs/Home/ARS\\_41\\_1750\\_Revised.pdf](http://www.azcjc.gov/ACJC.Web/Pubs/Home/ARS_41_1750_Revised.pdf) (January 2, 2012).
- Bileski, Matthew and Phillip Stevenson. 2012. *FY 2011 Fill the Gap Report*. Arizona Criminal Justice Commission at [http://www.azcjc.gov/ACJC.Web/Pubs/Home/FY2011\\_Fill\\_the\\_Gap\\_Report\\_Draft\\_Final.pdf](http://www.azcjc.gov/ACJC.Web/Pubs/Home/FY2011_Fill_the_Gap_Report_Draft_Final.pdf) (January 2, 2012).
- Bileski, Matthew and Phillip Stevenson. 2011. *The Reporting of Sexual Assault in Arizona, CY 2008-2009*. Arizona Criminal Justice Commission at [http://www.azcjc.gov/ACJC.Web/Pubs/Home/The\\_Reporting\\_of\\_Sexual\\_Assault\\_in\\_Arizona\\_CY2008-2009.pdf](http://www.azcjc.gov/ACJC.Web/Pubs/Home/The_Reporting_of_Sexual_Assault_in_Arizona_CY2008-2009.pdf) (January 2, 2012).
- Bileski, Matthew and Phillip Stevenson. 2010. *The Reporting of Sexual Assault in Arizona: 2008*. Arizona Criminal Justice Commission at [http://www.azcjc.gov/ACJC.Web/Pubs/Home/2009\\_ARS\\_41-2406\\_Report.pdf](http://www.azcjc.gov/ACJC.Web/Pubs/Home/2009_ARS_41-2406_Report.pdf) (January 2, 2012).
- Chawki, Judge Mohamed and Dr. Mohamed S. Abdel Wahab. 2006. "Identity Theft in Cyberspace: Issues and Solutions." *Lex Electronica* Vol. 11 at [http://www.lex-electronica.org/articles/v11-1/chawki\\_abdel-wahab.htm](http://www.lex-electronica.org/articles/v11-1/chawki_abdel-wahab.htm) (Jan. 11, 2012).
- Copes, Heith and Lynne Vieraitis. 2009. "Identity Theft." in J.M. Miller (Ed.), *21<sup>st</sup> Century Criminology*. Thousand Oaks, CA; Sage: 564-571.
- Federal Trade Commission. 2009-2011. *Consumer Sentinel Network Data Book (2008-2010)*. at <http://www.ftc.gov/sentinel/reports.shtml> (January 5, 2012).
- Federal Trade Commission. 2006-2008. *Consumer Fraud and Identity Theft Complaint Data (2005-2007)*. at <http://www.ftc.gov/sentinel/reports.shtml> (January 5, 2012).
- Gordon, Gary R. Ed.D, Donald J. Rebovich, Ph.D, Kyung-Seok Choo, Ph.D and Judith B. Gordon, MLS. 2007. *Identity Fraud Trends and Patterns: Building a Data-Based Foundation for Proactive Enforcement*. Center for Identity Management and Information Protection at [http://www.utica.edu/academic/institutes/ecii/publications/media/cimip\\_id\\_theft\\_study\\_oct\\_22\\_noon.pdf](http://www.utica.edu/academic/institutes/ecii/publications/media/cimip_id_theft_study_oct_22_noon.pdf) (January 12, 2012).
- Identity Theft Resource Center. 2003. *Identity Theft: The Aftermath 2003*. Idtheftcenter.org at [http://www.idtheftcenter.org/artman2/publish/lib\\_survey/Press\\_Release\\_-\\_The\\_Aftermath\\_2003\\_Study.shtml](http://www.idtheftcenter.org/artman2/publish/lib_survey/Press_Release_-_The_Aftermath_2003_Study.shtml) (January 12, 2012).
- Langton, Lynn. 2011. *Identity Theft Reported by Households, 2005-2010* (NCJ 236245). The Bureau of Justice Statistics at <http://bjs.ojp.usdoj.gov/content/pub/pdf/itrh0510.pdf> (January 12, 2012).
- Langton, Lynn and Michael Planty, Ph.D. 2010. *Victims of Identity Theft, 2008* (NCJ 231680). The Bureau of Justice Statistics at <http://bjs.ojp.usdoj.gov/content/pub/pdf/vit08.pdf> (January 12, 2012).

## **Appendix**

### *Identity Theft Resources*

In many instances, victims of identity theft do not report the criminal act to the proper authorities for a variety of reasons. In cases involving credit card or bank fraud, the card issuing company or bank may alleviate the financial responsibility from the victim regardless of whether the company chooses to pursue the offender. Victims of identity theft may also fail to report the offense to authorities because they did not suffer any financial loss, because they feared retaliation or felt embarrassed, because they felt law enforcement would not be of assistance, or because they were not aware the offense could be reported (Langton and Planty, 2010). In an effort to provide awareness to victims of identity theft, the following information and resources are listed to aid victims through the reporting process:

- 1) Contact your local police department to file an identity theft report. Oftentimes, police departments will also provide information and resources on their agency web site. (In some cases, it may be beneficial to provide law enforcement with the Federal Trade Commission complaint form and supporting documentation.)
- 2) The Arizona Attorney General web site provides a list of state and national resources along with the phone numbers to an identity theft helpline at the following address- [http://www.azag.gov/cybercrime/ID\\_Theft.html](http://www.azag.gov/cybercrime/ID_Theft.html).
- 3) The Federal Trade Commission maintains a consumer complaints database, called the Consumer Sentinel Network, to benefit law enforcement agencies for investigation purposes, and consumers are encouraged to file an identity theft complaint at the following web address- <https://www.ftccomplaintassistant.gov/>.  
If an individual is concerned that their credit report has been compromised, the following link on the Federal Trade Commission web site will direct the individual to the appropriate site to obtain a free credit report- <http://www.ftc.gov/bcp/edu/microsites/freereports/index.shtml>.

Additional information provided by the Federal Trade Commission is available at- <http://www.ftc.gov/bcp/edu/microsites/idtheft/>.

*A.R.S. §13-2008. Taking identity of another person or entity; knowingly accepting identity of another person; classification*

A. A person commits taking the identity of another person or entity if the person knowingly takes, purchases, manufactures, records, possesses or uses any personal identifying information or entity identifying information of another person or entity, including a real or fictitious person or entity, without the consent of that other person or entity, with the intent to obtain or use the other person's or entity's identity for any unlawful purpose or to cause loss to a person or entity whether or not the person or entity actually suffers any economic loss as a result of the offense, or with the intent to obtain or continue employment.

B. A person commits knowingly accepting the identity of another person if the person, in hiring an employee, knowingly does both of the following:

1. Accepts any personal identifying information of another person from an individual and knows that the individual is not the actual person identified by that information.
2. Uses that identity information for the purpose of determining whether the individual who presented that identity information has the legal right or authorization under federal law to work in the United States as described and determined under the processes and procedures under 8 United States Code section 1324a.

C. On the request of a person or entity, a peace officer in any jurisdiction in which an element of an offense under this section is committed, a result of an offense under this section occurs or the person or entity whose identity is taken or accepted resides or is located shall take a report. The peace officer may provide a copy of the report to any other law enforcement agency that is located in a jurisdiction in which a violation of this section occurred.

D. If a defendant is alleged to have committed multiple violations of this section within the same county, the prosecutor may file a complaint charging all of the violations and any related charges under other sections that have not been previously filed in any precinct in which a violation is alleged to have occurred. If a defendant is alleged to have committed multiple violations of this section within the state, the prosecutor may file a complaint charging all of the violations and any related charges under other sections that have not been previously filed in any county in which a violation is alleged to have occurred.

E. This section does not apply to a violation of section 4-241 by a person who is under twenty-one years of age.

F. Taking the identity of another person or entity or knowingly accepting the identity of another person is a class 4 felony.

*A.R.S. §13-2009. Aggravated taking identity of another person or entity; classification*

A. A person commits aggravated taking the identity of another person or entity if the person knowingly takes, purchases, manufactures, records, possesses or uses any personal identifying information or entity identifying information of either:

1. Three or more other persons or entities, including real or fictitious persons or entities, without the consent of the other persons or entities, with the intent to obtain or use the other persons' or entities' identities for any unlawful purpose or to cause loss to the persons or entities whether or not the persons or entities actually suffer any economic loss.



2. Another person or entity, including a real or fictitious person or entity, without the consent of that other person or entity, with the intent to obtain or use the other person's or entity's identity for any unlawful purpose and causes another person or entity to suffer an economic loss of three thousand dollars or more.

3. Another person, including a real or fictitious person, with the intent to obtain employment.

B. In an action for aggravated taking the identity of another person or entity under subsection A, paragraph 1 of this section, proof of possession out of the regular course of business of the personal identifying information or entity identifying information of three or more other persons or entities may give rise to an inference that the personal identifying information or entity identifying information of the three or more other persons or entities was possessed for an unlawful purpose.

C. This section does not apply to a violation of section 4-241 by a person who is under twenty-one years of age.

D. Aggravated taking the identity of another person or entity is a class 3 felony.

*A.R.S. §13-2010. Trafficking in the identity of another person or entity; classification*

A. A person commits trafficking in the identity of another person or entity if the person knowingly sells, transfers or transmits any personal identifying information or entity identifying information of another person or entity, including a real or fictitious person or entity, without the consent of the other person or entity for any unlawful purpose or to cause loss to the person or entity whether or not the other person or entity actually suffers any economic loss, or allowing another person to obtain or continue employment.

B. This section does not apply to a violation of section 4-241 by a person who is under twenty-one years of age.

C. Trafficking in the identity of another person or entity is a class 2 felony.

**Appendix Table 1. List of Other Fraud Statutes Identified for Inclusion in the Research by Fraud Type**

*Credit Card Fraud Statutes*

- A.R.S. §13-2102 - Theft of a Credit Card or Obtaining a Credit Card by Fraudulent Means
- A.R.S. §13-2103 - Receipt of Anything of Value Obtained by Fraudulent Use of a Credit Card
- A.R.S. §13-2104 - Forgery of Credit Card
- A.R.S. §13-2105 - Fraudulent Use of a Credit Card
- A.R.S. §13-2106 - Possession of Machinery, Plate or Other Contrivance or Incomplete Credit Card
- A.R.S. §13-2107 - False Statement as to Financial Condition or Identity
- A.R.S. §13-2108 - Fraud by Person Authorized to Provide Goods or Services
- A.R.S. §13-2109 - Credit Card Transaction Record Theft
- A.R.S. §13-2110 - Unlawful Possession or Use of Scanning Device or Re-encoder

*Employment-Related Fraud*

- A.R.S. §13-2008.B - Knowingly Accepting Identity of Another Person
- A.R.S. §13-2009.A.3 - Aggravated Taking Identity of Another Person or Entity

*Government Documents and Benefits Fraud*

- A.R.S. §13-2311 - Fraudulent Schemes and Practices; Willful Concealment
- A.R.S. §13-2320.A.4 - Residential Mortgage Fraud
- A.R.S. §13-2407 - Tampering with a Public Record
- A.R.S. §13-3701 - Unlawful Use of Food Stamps
- A.R.S. §23-1028 - False Statements or Representations to Obtain Compensation
- A.R.S. §23-785 - False Statement, Misrepresentation or Nondisclosure of Material Fact to Obtain Benefits
- A.R.S. §28-2531.B - Vehicle Registration Violation
- A.R.S. §28-326.B.1 - Knowingly Display False License Plate
- A.R.S. §28-3476 - Falsification of License
- A.R.S. §28-3478 - Unlawful Use of License
- A.R.S. §28-4142.E.2 - Vehicle Registration Violation
- A.R.S. §39-161 - Presentment of False Instrument for Filing
- A.R.S. §42-1127 - Department of Revenue Criminal Violations

*Utilities Fraud*

- A.R.S. §13-3707 - Telecommunications Fraud
- A.R.S. §13-3724 - Obtaining Utility Service Fraudulently